

pending on August 16, 1937, it shall be considered an application under Public No. 304, 75th Congress without the written notice required herein, and, if allowable only under the latter act shall commence August 16, 1937. (See subparagraph (D) (4) hereof)

(4) Because of the repeal of Section 1 of Public No. 304, 75th Congress, by Section 4 of the Act of May 13, 1938, awards may not be made authorizing payments under (1), (2) and (3) of subparagraph (D) hereof in any claim filed on or after the date of approval of the latter act.

(E) If the person who served died while receiving or entitled to receive pension, compensation, or retirement pay for a 10 per centum or more but less than 30 per centum disability directly or presumptively connected with service:

(1) May 13, 1938, or the day following the date of death, whichever is the later, if application is filed within one year from the date of death;

(2) The date of filing application, if application is not filed within one year from the date of death, but in no event prior to May 13, 1938;

(3) Any claim filed subsequent to March 19, 1933, and prior to May 13, 1938, under Public No. 2, Public No. 141, or Public No. 484, 73d Congress, as amended (Acts of March 20, 1933, March 28, 1934, and June 28, 1934) disallowed under Public No. 484, 73d Congress, Public No. 844, 74th Congress, or Section 1 of Public No. 304, 75th Congress, or abandoned prior to May 13, 1938, under such laws may, upon written notice from the claimant or a representative of the claimant to the Veterans' Administration be revived at any time prior to May 13, 1939, and when title is otherwise established payments under Public No. 514, 75th Congress (Act of May 13, 1938) shall commence on the date of its enactment; provided that in any claim adjudicated under Public No. 484, 73d Congress, as amended, in which the claimant or the claimant's representative has not been notified of the disallowance thereof, or if a claim under Public No. 2, Public No. 141, or Public No. 484, 73d Congress, or Public No. 844, 74th Congress, or Public No. 304, 75th Congress, was pending on May 12, 1938, it shall be considered an application under Public No. 514, 75th Congress, (Act of May 13, 1938), without the written notice required herein and if allowable only under Public No. 514, 75th Congress (Act of May 13, 1938) payments thereunder shall commence May 13, 1938.

(F) In the event a claim filed under this paragraph is not complete at the date of filing thereof in the Veterans' Administration, the claimant will be notified of the evidence necessary to complete the claim and if such evidence is not received within one year from the date of the request therefor, compensation will not be paid by reason of the filing of that claim. (May 13, 1938.)

RATES OF DEATH PENSION AND COMPENSATION FOR WIDOWS, REMARRIED WIDOWS, CHILDREN AND DEPENDENT PARENTS

Rates Under Public No. 484, 73d Congress (Act of June 28, 1934), as Amended

R-2640. The rates of death compensation payable under Public No. 484, 73d Congress, (Act of June 28, 1934) as amended are as follows:

	Per month
Widow but no child.....	\$22.00
Widow and one child.....	30.00
(With \$4 for each additional child)	
No widow but one child.....	15.00
No widow but two children.....	22.00
No widow but three children.....	30.00
(With \$3 for each additional child, total amount to be (equally divided)	

¹Equally divided.

The total compensation payable under this paragraph shall not exceed \$56.00. Where such benefits would other-

wise exceed \$56.00 the amount of \$56.00 may be apportioned as prescribed in R. & P. R-2592 (F). (May 13, 1938.)

ACCRUED AMOUNTS DUE AND UNPAID AT DEATH

Accrued Compensation: Public No. 484, 73d Congress (Act of June 28, 1934) as Amended

R-2664. The amount of compensation which has become payable to a widow or child under Public No. 484, 73d Congress (Act of June 28, 1934), as amended, but which has not been paid prior to death, may be awarded only for the purpose of paying the expenses of last sickness and burial, etc., of the deceased beneficiary and then only in the event that there are no funds available to the estate of the deceased for settlement of those expenses. (May 13, 1938.)

[F. R. Doc. 38-1522; Filed, May 27, 1938; 3:16 p. m.]

Thursday, June 2, 1938

No. 107

PRESIDENT OF THE UNITED STATES.

EXECUTIVE ORDER

AUTHORIZING THE ATTORNEY GENERAL TO SELL UPON PUBLIC EXCHANGES WITHOUT PRIOR ADVERTISEMENT CERTAIN PROPERTY HELD UNDER THE TRADING WITH THE ENEMY ACT

WHEREAS certain property held by the Attorney General of the United States as successor in interest to the Alien Property Custodian consists of shares of stock, bonds, notes, or other beneficial interests, which are listed on the various public exchanges and have an established and ready market; and

WHEREAS such property is not customarily sold, and cannot usually be sold to advantage, at public sale after public or other advertisement; and

WHEREAS public or other advertisement of the sale of such property, or an attempt to sell such property at public auction, would be a useless formality and would necessitate the incurring of unwarranted expenses and costs and would result in unnecessary inconvenience and delay:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by section 12 of the Trading with the Enemy Act, approved October 6, 1917 (40 Stat. 411, 423), as amended, and in the public interest, I hereby authorize the Attorney General of the United States to sell any such property upon the various public exchanges, without prior advertisement, to any individual, corporation, partnership, or association, upon such terms and conditions, and in such lots or amounts as he may deem advisable.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
May 31, 1938.

[No. 7901]

[F. R. Doc. 38-1546; Filed, June 1, 1938; 11:48 a. m.]

EXECUTIVE ORDER

ESTABLISHING THE TAMARAC MIGRATORY WATERFOWL REFUGE
Minnesota

By virtue of and pursuant to the authority vested in me as President of the United States, and in order to effectuate further the purposes of the Migratory Bird Conservation Act (45 Stat. 1222), it is ordered that all lands and waters acquired or to be acquired by the United States within the following-described area, comprising approximately 47,520 acres in Becker County, Minnesota, be, and they are hereby, reserved and set apart, subject to valid existing rights, for the use of the Department of Agriculture as a refuge and breeding ground for migratory birds and other wildlife: *Provided*, that any private lands within the areas described shall be-

come a part of the refuge hereby established upon the acquisition of title thereto or lease thereof by the United States:

Fifth Principal Meridian

Beginning at the corner common to Tps. 141 and 142 N., Rs. 38 and 39 W.,

Thence between Tps. 141 N., Rs. 38 and 39 W., Southerly to the standard township corner common to said townships;

Thence between Tps. 140 and 141 N., Rs. 38 and 39 W., Easterly to the closing township corner common to Tps. 140 N., Rs. 38 and 39 W.,

Thence between Tps. 140 N., Rs. 38 and 39 W., Southerly to the corner common to secs. 6 and 7, T. 140 N., R. 38 W., and secs. 1 and 12, T. 140 N., R. 39 W.,

Thence in T. 140 N., R. 39 W.,

Westerly to corner common to secs. 1, 2, 11, and 12;

Southerly to corner common to secs. 11, 12, 13, and 14;

Easterly to corner common to secs. 7 and 18, T. 140 N., R. 38 W., and secs. 12 and 13, T. 140 N., R. 39 W.,

Thence between Tps. 140 N., Rs. 38 and 39 W., Southerly to the meander corner common to sec. 18, T. 140 N., R. 38 W., and sec. 13, T. 140 N., R. 39 W., on the northwest shore of Island Lake;

Thence in T. 140 N., R. 39 W.,

Southwesterly with the meanders of Island Lake to the meander corner common to secs. 13 and 24,

Westerly to the corner common to secs. 13, 14, 23, and 24;

Southerly to the corner common to secs. 23, 24, 25, and 26;

Easterly to the one-quarter corner common to secs. 24 and 25;

Southerly to the center north one-sixteenth corner of sec. 25;

Easterly to the north one-sixteenth corner common to sec. 30, T. 140 N., R. 38 W., and sec. 25, T. 140 N., R. 39 W.,

Thence between Tps. 140 N., Rs. 38 and 39 W., Southerly to the one-quarter corner common to sec. 30, T. 140 N., R. 38 W., and sec. 25, T. 140 N., R. 39 W.;

Thence in T. 140 N., R. 39 W.;

Westerly to the center east one-sixteenth corner of sec. 25;

Southerly to the southeast one-sixteenth corner of said section;

Westerly to the southwest one-sixteenth corner of said section;

Southerly to the west one-sixteenth corner common to secs. 25 and 36;

Westerly to the corner common to secs. 25, 26, 35, and 36;

Southerly to the one-quarter corner common to secs. 35 and 36;

Westerly to the one-quarter corner common to secs. 34 and 35;

Southerly to the corner common to secs. 2 and 3, T. 139 N., R. 39 W., and secs. 34 and 35, T. 140 N., R. 39 W.,

Thence between Tps. 139 and 140 N., R. 39 W., Westerly crossing Height of Land Lake, to the corner common to Tps. 139 and 140 N., Rs. 39 and 40 W.,

Thence between Tps. 139 and 140 N., R. 40 W., Westerly to the meander corner common to sec. 1, T. 139 N., R. 40 W., and sec. 36, T. 140 N., R. 40 W., on the shore of Cotton Lake;

Thence in T. 140 N., R. 40 W.,

Northwesterly with the meanders of Cotton Lake to the meander corner common to secs. 35 and 36;

Northerly to the corner common to secs. 25, 26, 35, and 36;

Westerly to the one-quarter corner common to secs. 26 and 35;

Northerly to the center one-quarter corner of sec. 26;

Easterly to the center east one-sixteenth corner of said section;

Northerly to the east one-sixteenth corner common to secs. 23 and 26;

Westerly to the corner common to secs. 22, 23, 26, and 27;

Northerly to the one-quarter corner common to secs. 22 and 23;

Easterly to the center one-quarter corner of sec. 23;

Northerly to the one-quarter corner common to secs. 2 and 11,

Easterly to the corner common to secs. 1, 2, 11, and 12;

Northerly to the closing corner common to secs. 1 and 2;

Thence between Tps. 140 and 141 N., R. 40 W., Easterly to the standard township corner common to Tps. 141 N., Rs. 39 and 40 W.,

Thence between Tps. 141 N., Rs. 39 and 40 W., Northerly to the one-quarter corner common to sec. 30, T. 141 N., R. 39 W., and sec. 25, T. 141 N., R. 40 W.;

Thence in T. 141 N., R. 30 W.,

Easterly to the center west one-sixteenth corner of sec. 30;

Northerly to the west one-sixteenth corner common to secs. 19 and 30;

Easterly to the one-quarter corner common to said sections;

Northerly to the one-quarter corner common to secs. 18 and 19;

Easterly to the east one-sixteenth corner common to said sections;

Northerly to the east one-sixteenth corner common to secs. 7 and 18;

Easterly to the one-quarter corner common to secs. 8 and 17;

Northerly to the center one-quarter corner of sec. 8;

Easterly to the one-quarter corner to secs. 8 and 9;

Northerly to the corner common to secs. 4, 5, 8, and 9;

Easterly to the one-quarter corner common to secs. 4 and 9;

Northerly to the center one-quarter corner of sec. 4,

Easterly to the one-quarter corner common to secs. 3 and 4;

Northerly to the corner common to secs. 3 and 4, T. 141 N., R. 39 W., and secs. 33 and 34, T. 142 N., R. 39 W.,

Thence in T. 142 N., R. 39 W.,

Northerly to the corner common to secs. 27, 28, 33, and 34;

Easterly to the east one-sixteenth corner common to secs. 27 and 34;

Northerly to the southeast one-sixteenth corner of sec. 27;

Easterly to the south one-sixteenth corner common to secs. 26 and 27;

Northerly to the one-quarter corner common to said sections;

Easterly to the center west one-sixteenth corner of sec. 26;

Southerly to the southwest one-sixteenth corner of said section;

Easterly to the center south one-sixteenth corner of said section;

Southerly to the one-quarter corner common to secs. 26 and 35;

Easterly to the east one-sixteenth corner common to said sections;

Northerly to the center east one-sixteenth corner of sec. 26;

Easterly to the center one-quarter corner of sec. 25;

Southerly to the one-quarter corner common to secs. 25 and 36;

Easterly to the corner common to secs. 30 and 31, T. 142 N., R. 38 W., and secs. 25 and 36, T. 142 N., R. 39 W.,

Thence between Tps. 142 N., Rs. 38 and 39 W., Southerly to the place of beginning.

A small part of the above-described area is now tribal Indian lands of the White Earth Indian Reservation, and it is not intended by this order to alter or qualify the status of those lands.

This reservation shall be known as the Tamarac Migratory Waterfowl Refuge.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 31, 1938.

[No. 7902]

[F. R. Doc. 38-1545; Filed, June 1, 1938; 11:48 a. m.]

EXECUTIVE ORDER

TRANSFER OF JURISDICTION OVER CERTAIN LANDS FROM THE SECRETARY OF AGRICULTURE TO THE SECRETARY OF THE INTERIOR

Rhode Island

WHEREAS the hereinafter-described lands, together with the improvements thereon, have been acquired by the United States under the authority of the Emergency Relief Appropriation Act of April 8, 1935 (49 Stat. 115), in connection with the Department of Agriculture's land-utilization and land-conservation project in Rhode Island known as LA-RI 1; and

WHEREAS such lands are immediately adjacent to the recreational demonstration project known as the Beach Pond Project, LP-RI 2, which was transferred to the Secretary of the Interior by Executive Order No. 7496, dated November 14, 1936; and

WHEREAS it appears that the administration of such lands as a part of the said Beach Pond Project would be in the public interest:

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me under the aforesaid Emergency Relief Appropriation Act of 1935, it is hereby ordered that jurisdiction over the hereinafter-described lands, together with the improvements thereon, be, and it is hereby, transferred from the Secretary of Agriculture to the Secretary of the Interior; and the Secretary of the Interior is authorized to administer such lands, through the National Park Service, as a part of the said Beach Pond Project, LP-RI 2, in accordance with the provisions of the said Executive Order No. 7496 of November 14, 1936:

That certain tract or parcel of land, with all the buildings and improvements thereon, situated partly in the Town of Exeter, in the County of Washington, in the State of Rhode Island, and partly in the Town of West Greenwich, in the County of Kent, in said State, and bounded and described as follows:

Beginning at the northwesterly corner of the premises hereby described, at a point on the southerly side of the Escoheag Hill Road, formerly known as the Old Road to Plain Meeting House, said Corner being also the north-easterly corner of land of Baybrink Inc.; thence turning and running southeasterly twenty-four hundred (2400) feet, more or less, along the South side of said Road to a brook; thence northwesterly, crossing said Road, five hundred forty (540) feet, more or less, along said brook, to a stone bound at the beginning of a wall; thence turning and running N. 65°20' E. three hundred twelve (312) feet along said wall to a stone bound; thence turning and running S. 41°28' E. four hundred twenty-four (424) feet to a stone bound; thence turning and running S. 42°23' E. Two hundred twenty-four (224) feet to a stone bound on the North side of said Road; the last four courses bounding on land now or formerly of Baybrink Inc.; thence across the Road on the last mentioned course thirty-three (33) feet, more or less, to its southerly side; thence northeasterly and easterly eleven hundred twenty-five (1125) feet along the South side

of said Road to a stone bound; thence turning and running S. 54°58' E. two hundred eighty-four (284) feet to a stone bound; thence turning and running N. 34°42' E. forty-seven (47) feet to a stone bound; thence turning and running S. 63°43' E. one hundred eighteen (118) feet to a stone bound; thence turning and running S. 60°11' E. nine hundred fifty (950) feet, more or less, along a wire and rail fence and stone wall, to a corner of said wall; thence turning and running S. 56°33' E. twenty-four hundred twelve (2412) feet to a stone bound on the West side of Summit Road; the last five courses bounding on land now or formerly of Baybrink Inc.; thence across said Road thirty-three (33) feet more or less, to the East side of said Road; thence southwesterly and southeasterly along the East side of Summit Road and of Frosty Hollow Road to the intersection of the East side of Frosty Hollow Road with the North side of the New Ten Rod Road, thence southwesterly along the North side of the New Ten Rod Road to the intersection of the North side of the New Ten Rod Road with the East side of the Parris Brook Road; thence northerly thirteen hundred eighty (1380) feet, more or less, along the East side of said Road, to the North side of the old Ten Rod Road; thence westerly and northerly twenty-one hundred ten (2110) feet, more or less, on the northerly and easterly side of the Old Ten Rod Road to the intersection of said line with the southerly prolongation of a stone wall; thence turning and running N. 1°22' W. five hundred (500) feet, more or less along said prolongation of wall and said wall to a bend in the wall; thence N. 11°38' E. seventeen hundred fourteen (1714) feet to the intersection of the South line of Escoheag Trail and the line of a wall; thence north-easterly thirty-three (33) feet, more or less, on the line of said wall to the North side of Escoheag Trail; thence fourteen hundred fifty (1450) feet, more or less, southeasterly along the North side of Escoheag Trail to the old gate; thence turning and running N. 31°21' E. three hundred (300) feet as the Fence and wall now stand, across the Wood River, to the North bank thereof; thence southeasterly on the high bank of said river twenty-one hundred (2100) feet, more or less, to the old ditch near the old Blacksmith shop, bounding northeasterly on land now or formerly of Stephen O. Metcalf; thence turning and running S. 22°30' W. twelve (12) feet in a straight line to the middle of Wood River on a line with a stake and stones opposite the house and near the old dam on the bounds of the highway; thence southeasterly one hundred sixty (160) feet, more or less, along the middle of the Wood River, to the South side of a wooden bridge crossing said Wood River; thence turning and running N. 62°01' E. thirty-eight (38) feet, more or less, crossing the river, to a bend on the South side of the Old Ten Rod Road; thence southeasterly twenty-three hundred (2300) feet, more or less, on the southwesterly side of the Old Ten Rod Road to the intersection of said line with the prolongation of an old rail fence; thence turning and running N. 9°36' E. twelve hundred thirty-five (1235) feet, more or less, along said rail fence, to a bend; thence turning and running N. 38°27' E. fifteen hundred twenty (1520) feet, more or less, along said rail fence to the North side of a trail; thence turning and running northwesterly nine hundred (900) feet, more or less, along an old rail fence to the West side of Flat River; thence turning and running northerly eight hundred twenty (820) feet, more or less, on the West side of said river, to the intersection of said line with the prolongation of a line of a wire fence; thence turning and running N. 82°30' W. thirty-three hundred fifty-two (3352) feet, more or less, to the middle of Wood River; thence turning and running northerly sixty-one hundred (6100) feet, more or less, along the middle of said river to its intersection with the prolongation of a wire fence at the southeast corner of land now or formerly of Gardner C. and John R. Barber; thence turning and running N. 21°04' E. sixteen hundred five (1605) feet, more or less, along said wire fence, stone wall and old rail fence, bounding westerly on said Barber land to the beginning of a wall, being a point on the southerly line of

land now or formerly of Walter D. Barber; thence turning and running S. 53°51' E. four hundred fifty (450) feet, along a stone wall, to a bend; thence turning and running S. 49°59' E. two hundred seventy-two (272) feet to a point on the South side of Plain Road, formerly known as the Road to Lewis City; the last two courses bounding northerly on said land now or formerly of Walter D. Barber; thence southeasterly along the southerly side of said Plain Road twenty-two hundred forty (2240) feet, more or less, to the intersection of said southerly side of Plain Road with the prolongation of a stone wall; thence turning and running N. 17°23' E. and crossing said plain Road, five hundred (500) feet, more or less, along said wall, to a bend in wall; thence turning and running N. 35°44' E. six hundred sixty (660) feet along and to the end of said wall; thence turning and running N. 22°30' E. one hundred fifty (150) feet to a drill hole in a ledge; thence turning and running N. 15°35' E. three hundred thirty-five (335) feet to the beginning of a stone wall; thence turning and running N. 6°57' E. two hundred fifty (250) feet along said wall to a drill hole in a ledge; thence turning and running N. 52°44' W. eight hundred sixty-three (863) feet to a granite stone bound; the last six courses bounding on land now or formerly of Walter D. Barber; thence turning and running N. 12°26' E. eleven hundred eighty (1180) feet to a stone bound; thence turning and running N. 2°57' E. nineteen hundred forty-five (1945) feet to a stone bound; thence turning and running N. 10°44' E. nine hundred five (905) feet to a stone bound on the South side of said Escoheag Hill Road to the point and place of beginning.

Excluding therefrom the following parcels of land lying within the above-described parcel, which said parcels are excepted from this instrument:

The first parcel is a certain tract of land situated in the Town of West Greenwich, in the County of Kent, in said State, and known as the Pine Swamp Lot, situated in the northwesterly portion of the above described parcel, South of Escoheag Road, and bounded and described as follows: Beginning at the southernmost point of said lot, at a stone bound; thence turning and running N. 63°08' W. eight hundred fifty-six (856) feet to a stone bound on the East side of a road; thence northwesterly, northeasterly, and easterly, nineteen hundred seventy (1970) feet, more or less, along the northeasterly, southwesterly and southerly sides of said road to a stone bound; thence turning and running S. 8°11' E. eight hundred twenty-eight (828) feet to a point in a brook; thence turning and running S. 6°12' W. one hundred forty-one (141) feet to a stone bound on the West side of a road; thence southwesterly one hundred eighty (180) feet, along the north-west side of said road, to a bend in the road; thence turning and running S. 6°13' W. three hundred thirteen (313) feet to the first mentioned bound, at the point of beginning. Containing by estimation twenty-eight (28) acres, more or less.

The second parcel is a certain tract of land known as the Meeting House Lot at four-corners, situated in the Town of Exeter, in the County of Washington, in said State, bounded and described as follows:—beginning at a stone wall on the West side of Frosty Hollow Road, said wall being approximately one hundred seventy (170) feet North of the North line of the New Ten Rod Road; thence S. 27°39' W. one hundred seventy (170) feet more or less, along the West side of said Frosty Hollow Road, to the North line of the said New Ten Rod Road; thence turning and running N. 66°30' W. one hundred sixty-four (164) feet, more or less, along the North side of said New Ten Rod Road, to the southerly prolongation of a stone wall; thence turning and running N. 24° E. one hundred fifty (150) feet, more or less, to and along the last mentioned line of wall, to a corner in the wall; thence turning and running S. 72°45' E. one hundred seventy-five (175) feet, more or less, along the first mentioned wall, to the West side of said Frosty Hollow Road, at the point and place of beginning, and containing by estimation approximately twenty-six thousand eight hundred (26800) square feet of land.

Also excluding from this instrument any and all burial lots and highways and rights of way as now existing particularly the Old Ten Rod Road, but hereby transferring all the right, title and interest of the United States in and to said highways.

By estimation the area of the premises hereby described is one thousand eight hundred and five (1805) acres of land, more or less, which area does not include the parcels of land herein excepted.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
May 31, 1938.

[No. 7903]

[F. R. Doc. 38-1547; Filed, June 1, 1938; 11:51 a. m.]

TREASURY DEPARTMENT.

Bureau of Narcotics.

[Regulations No. 2]

IMPORTATION, EXPORTATION, AND TRANSSHIPMENT OF OPIUM OR COCA LEAVES OR ANY COMPOUND, MANUFACTURE, SALT, DERIVATIVE, OR PREPARATION THEREOF

NARCOTIC REGULATIONS MADE BY THE COMMISSIONER OF NARCOTICS WITH THE APPROVAL OF THE SECRETARY OF THE TREASURY¹

Effective Date, June 1, 1938

CHAPTER I. IMPORTS

Act of May 26, 1922, as amended

SEC. 2(b). That it is unlawful to import or bring any narcotic drug into the United States or any territory under its control or jurisdiction; except that such amounts of crude opium and coca leaves as the Commissioner of Narcotics finds to be necessary to provide for medical and legitimate uses only may be imported and brought into the United States or such territory under such regulations as the Commissioner of Narcotics shall prescribe, but no crude opium may be imported or brought in for the purpose of manufacturing heroin. All narcotic drugs imported under such regulations shall be subject to the duties which are now or may hereafter be imposed upon such drugs when imported.

SEC. 5. That no smoking opium or opium prepared for smoking shall be admitted into the United States or into any territory under its control or jurisdiction for transportation to another country, or be transferred or transshipped from one vessel to another vessel within any waters of the United States for immediate exportation or for any other purpose; and, except with the approval of the Commissioner of Narcotics, no other narcotic drug may be so admitted, transferred, or transshipped.

ARTICLE 1. *Importation.*—Crude opium and coca leaves may only be imported under formal permit issued by the Commissioner of Narcotics (hereinafter referred to as the Commissioner) pursuant to a duly executed application therefor, and after a determination by said Commissioner that the quantity of crude opium or coca leaves requested in the application is necessary to provide for, and will be applied to, medical and legitimate uses only. An exception to so much of this rule as requires a formal permit may be made in the case of an emergency which, in the judgment of the Commissioner, so affects the welfare of all or a large proportion of the population as to justify such extraordinary action. No permit shall be granted for the importation of opium to be manufactured into heroin, its salts, derivatives, or preparations. No importation by mail shall be permitted.

ART. 2. *Who may import.*—In exercising the powers and discharging the duties conferred and imposed upon him by the act with respect to the importation of crude opium and coca leaves, the Commissioner shall take such action as in his opinion will effectuate the intent and purpose of the act; and pursuant to this policy, in determining whether any applicant shall be permitted to import such crude opium and coca leaves, the Commissioner shall consider the character and standing of the applicant, his production

¹Under the Act of May 26, 1922, as amended by the Act of June 7, 1924; and the Acts of June 14, 1930 and June 17, 1930, as amended by the Act of August 5, 1935.

facilities and trade connections, whether there is reasonable probability that he will apply all crude opium and coca leaves imported and narcotic drugs manufactured by him to medical and legitimate purposes, whether he may serve the public interests by lowering costs or improving quality of narcotic drugs by the use of improved methods, or any other factors which the Commissioner deems appropriate to consider in carrying out the policy mentioned. In the case of new applicants the Commissioner shall also consider whether the allotments to them of shares in the amount of crude opium and coca leaves determined by him to be necessary for medical and legitimate uses would probably have the effect of so reducing or rendering uncertain the supply of crude opium and coca leaves available from year to year to manufacturers already engaged in the manufacture of narcotic drugs as to endanger the efficient administration of the Narcotic Drugs Import and Export Act.

ART. 3. Application for permission to import.—Application for permission to import crude opium or coca leaves shall be made under oath on a form provided by the Treasury Department and forwarded to the Commissioner of Narcotics, Treasury Department, Washington, D. C. The application shall show, in the spaces provided thereon, the name of the crude material desired to be imported (i. e., crude opium or coca leaves), the number of bales or cases of such crude material, the maximum total pounds of such material, the total tentative allotment to the importer of such crude material for the current calendar year, the total number of pounds of said allotment for which permits have previously been issued, and the total quantity of crude material actually imported during the current year to date. Information under the three subheads last mentioned need only be shown with respect to the particular crude drug for which application for permission to import is being made. The application shall also show the following: The name and address of the consignor, if known at the time application is submitted, but if unknown at that time, the fact should be indicated and the name and address afterwards furnished to the Commissioner as soon as ascertained by the importer; the foreign port of exportation (i. e., the place where the article will begin its journey of exportation to the United States); the port of entry into the United States; the latest date said shipment will leave said foreign port; and the stock on hand of the kind of crude drug desired to be imported under the respective subheads provided. If the application is executed and forwarded before the 15th day of a given month the stock on hand may be shown as of the last day of the penultimate preceding month, but if the application is executed and forwarded on or after the 15th day of a given month the stock on hand must be shown as of the last day of the month immediately preceding.

ART. 4. Alternative foreign ports.—If desired, alternative foreign ports of exportation may be indicated upon the application, thus, (1) Belgrade, (2) Istanbul. If a formal permit is issued pursuant to such an application it will bear the names of the two ports in the order given in the application, but will be construed as authority for the shipment to be made from the first port only, provided that if, prior to the certification of an invoice for a shipment under the permit from the first port mentioned, the importer wishes to have the permit applied to a shipment from the second port mentioned instead, and notifies the Commissioner in writing to that effect, an arrangement will be made looking toward the application of the permit to a shipment from such second port, thereby revoking authority to make any shipment under the permit from the first port mentioned. The arrangement for change of authorization to the second port of export will be made by cable, if requested, at the expense of the importer. If the arrangement for such change is not completed prior to the time the invoice for a shipment under the permit from the first port of export mentioned thereon is certified by the United States consul, the original authorization for the shipment from the first port will not be changed.

ART. 5. Import permit.—The import permit shall be prepared in sextuplet upon a form which has been approved by

the Commissioner, but such permit shall not be valid unless signed by the Commissioner.

ART. 6. Preparation of import permit.—Import permits shall be serially numbered, the six copies of a given permit all to bear the serial number of that permit. Each copy of the permit shall have printed or stamped thereon the disposition to be made thereof. Each permit shall bear a notation to the effect that the Commissioner is satisfied that the consignment proposed to be imported is required for legitimate purposes. Each permit shall also be dated and shall certify that the importer named thereon is thereby permitted under the provisions of the Narcotic Drugs Import and Export Act, as amended, to import, through the port named, one shipment of not to exceed the specified quantity of crude opium or coca leaves, as the case may be, shipment to be made from a stated port before a specified date. All copies of import permits shall bear the signature of the Commissioner, and facsimiles of signatures shall not be used. All permits issued shall be entered in a register kept by the Commissioner for that purpose. No permit shall be altered or changed by any person after being signed by the Commissioner, and any change or alteration upon the face of any permit, after it shall have been signed by the Commissioner, shall render it void and of no effect. Permits are not transferable.

ART. 7. Effect of permit.—A permit duly signed and issued shall be authority to import, by the importer named thereon, one shipment only of not to exceed the maximum quantity of crude opium or coca leaves, as the case may be, specified on the permit, from a specified foreign port of export (see Articles 3 and 4), said shipment to be made on or before the date indicated for that purpose upon the permit. This date may, in the discretion of the Commissioner correspond with the date given on the application on the line labeled "Latest date shipment will leave above foreign port," but such date shall not be later than four months from the date permit is issued unless, for good cause shown, the Commissioner allows a longer period within which to make the shipment and so specifies on the permit. The maximum quantity of crude opium or coca leaves shall be stated on the permit in terms of pounds.

ART. 8. Shipments in greater or less amount than that authorized.—If the shipment made under the permit is greater than the maximum amount authorized to be imported under the permit as determined at the weighing by the customs officer, such difference shall be seized and forfeited to the Government.

If the shipment made under the permit is less than the maximum amount authorized to be imported under the permit as determined at the weighing by the customs officer, such difference, when ascertained by the Commissioner shall be recredited to the tentative allotment against which the quantity covered by the permit was charged, and the balance of any such tentative allotment with any such recredits will remain available to the importer to whom made (unless previously revoked in whole or in part) for importations pursuant to such permit or permits as are requested and issued during the remainder of the calendar year to which the allotment is applicable. No permit shall be issued for importation of a quantity of crude opium or coca leaves as a charge against the tentative allotment for a given calendar year, after the close of such calendar year, unless, for good cause shown, the Commissioner decides to make an exception in a proper case.

ART. 9. Cancellation of permit.—A permit may be canceled, after being issued, at the request of the importer, provided the necessary steps looking toward cancellation are accomplished prior to the certification by the United States consul of the invoice for a shipment under the permit from a designated foreign port of exportation, but after such certification the permit shall not be canceled at the request of the importer, irrespective of the date such request was made, unless it can be shown to the satisfaction of the Commissioner that the shipment was lost en route. In the event that a permit is lost, the Commissioner may upon the production by the importer of satisfactory proof, by affidavit or otherwise, issue a duplicate permit. Nothing herein contained shall effect the right,

hereby reserved by the Commissioner, to cancel a permit at any time for proper cause.

ART. 10. Disposition of copies of permit.—If it is decided to approve an application for permission to import crude opium or coca leaves, an import permit shall be prepared in sextuplet, each copy of which shall be signed by the Commissioner. The six copies of each permit are designated respectively as original, (green); duplicate, (blue); triplicate, (pink); quadruplicate, (salmon); quintuplicate, (yellow); sextuple, (white). After being signed these copies shall be distributed and shall serve purposes as follows:

(a) The original copy, together with the quintuplicate copy, shall be transmitted to the importer, who will retain the quintuplicate copy on file as his record of authority for the importation, and he shall transmit the original copy of the permit to the foreign exporter. The foreign exporter will submit the original copy of the permit to the proper governmental authority in the exporting country (if required as a prerequisite to the issuance of an export authorization), and to the United States consul for the foreign port of exportation, and after certification of the invoice by the consul, this copy of the permit will accompany the shipment. Upon arrival of the imported merchandise the collector of customs at the port of entry will forward the original copy of the permit with the bill of lading to the appraiser for the port, who, after appraising the merchandise, will return the original copy of the permit to the Commissioner with a report on the reverse side of such original copy, showing the name of the port of importation, date prepared, net quantity and kind, and report of analysis of the merchandise entered.

(b) The duplicate copy shall be forwarded to the proper governmental authorities of the exporting country.

(c) The triplicate copy of the permit shall be forwarded to the United States consul for the foreign port of exportation in order that the consul may compare it with the original copy when presented by the foreign exporter. The triplicate copy is to be retained on file by the consul.

(d) The quadruplicate copy shall be forwarded to the collector of customs at the United States port of entry, which shall be the customs port of destination in the case of shipments transported under immediate transportation entries, in order that said collector may compare it with the original copy and the bill of lading upon arrival of the merchandise.

(e) The sextuple copy of the permit shall be retained on file in the office of the Commissioner.

If a discrepancy is noted between corresponding items upon different copies of a permit bearing the same serial number when compared by the United States consul or by the United States collector of customs, the officer shall refuse to certify the invoice or to permit entry of the importation, as the case may be, until the facts are communicated to the State Department or the Commissioner, respectively, and further instructions are received.

ART. 11. Sending original copy of import permit through State Department.—If desired by the importer, the original copy of the permit may, in lieu of being forwarded to the importer, be transmitted through the State Department to the United States consul at the foreign port of exportation together with the triplicate copy which said consul is required to retain on file. When this procedure is followed the importer shall, as soon as possible, ascertain the name of the exporter, located in or near said foreign port of exportation, that is authorized to make the shipment from said port under the permit, and shall communicate this name to the Commissioner with authorization to cause the consul to deliver such original copy to the exporter so designated. The consul will thereupon be authorized by the State Department by mail, or, if desired, by cable, at the expense of the importer, to deliver the original copy to the party so designated, and the consul shall be authorized to certify an invoice under the permit in the same manner as though the original copy had originally been presented to said consul by the foreign exporter for comparison with the triplicate copy as outlined in article 10. However, if the original copy remains in the consul's hands without cabled authorization for its delivery to a

designated exporter to accompany a shipment under the permit after the date of expiration of the permit, such permit shall be deemed to have been canceled, and shall be so marked by the consul and returned, through the State Department, to the Commissioner, and no invoice shall be certified thereunder, nor shall any shipment thereunder be admitted to entry in the United States. The procedure outlined in this article is provided for the convenience of importers, and no responsibility for improperly transmitted cablegrams or for delivery of the original copy of the permit to an improper party, or other error arising out of such special arrangement can be accepted by the Commissioner, the State Department, or their representatives, but such arrangement shall be made at the risk and expense of the importer concerned.

ART. 12. Examination of shipment by customs officer.—Immediately upon the unlading of crude opium from the importing vessel, the customs officer shall carefully examine the cases or packages, note their condition, seal the packages, and if the port of importation as shown on the permit covering the shipment is the same as the port of first arrival, shall cause the cases or packages to be transported under customs guard and by bonded cartman to the appraiser's stores, where they shall be placed in a separate and specially protected inclosure. If the shipment is destined to a port of entry other than the port of first arrival, it shall be entered for immediate transportation without appraisal, by bonded carrier, to the port of entry to which destined after examination, notation of condition and sealing by the customs officer at the port of first arrival. Upon arrival of the shipment at the port of entry to which destined the customs officer shall observe the same procedure as to examination, notation of condition, and sealing as required at the port of first arrival, shall compare the original copy of the permit accompanying the shipping documents with the copy theretofore furnished to the collector of the port in the manner hereinbefore provided, and shall cause the shipment to be transported under customs guard and by bonded cartman to the appraiser's stores, where it shall be placed in a separate and specially protected inclosure.

ART. 13. Duties of appraiser.—The original copy of the permit, with the bill of lading for the shipment shall be forwarded to the appropriate appraiser, who shall take action thereon as provided in article 10a.

The appraiser shall cause such arrangements to be made as will insure the safe-keeping of the crude opium while in the appraiser's stores.

No delivery of crude opium to the importer from the appraiser's stores shall be permitted until the collector or his representative and the appraiser or his representative shall be satisfied and so note on the delivery permit, after personal examination, that the importer has taken all proper precautions for the safe transportation of the crude opium from the appraiser's stores to the importer's premises or to the premises of the common carrier if shipment is to be made.

Except as specially provided in these regulations, the procedure in the case of coca leaves shall be the same as in the case of other dutiable merchandise.

ART. 14. Purposes for which crude opium and coca leaves may be entered.—Except as otherwise specifically authorized by the Secretary of the Treasury and arranged by the Commissioner, crude opium may be entered only for consumption or for transportation in bond between the port of first arrival and the port of entry specified upon the import permit. No entry of either crude opium or coca leaves shall be permitted except upon an import permit duly issued by the Commissioner, and any quantity of crude opium or coca leaves imported or attempted to be imported not in accordance with such permit and these regulations shall be subject to forfeiture under the act.

Coca leaves may be entered either for consumption or warehouse or for transportation in bond between the port of first arrival and the port of entry specified on the permit covering the shipment.

ART. 15. Foreign trade zones.—No narcotic drug as defined in the act of May 26, 1922, as amended, shall be permitted

to be introduced into a foreign trade zone, established under the act approved June 18, 1934, except that such quantities of narcotic drugs as are required for direct emergency medical needs within a zone may be admitted into said zone from customs territory of the United States subject to the requirements of the act of December 17, 1914, as amended, and regulations thereunder. Any narcotic drugs not admissible into a zone as herein provided, found within a zone shall be seized and disposed of according to law.

ART. 16. Statements rendered by importers.—Whenever required by the Commissioner, importers shall render to him not later than thirty days after receipt of the request therefor a statement under oath of the stocks of narcotic drugs on hand as of the date specified by the Commissioner in his request, and, if desired by the Commissioner, an estimate of the probable requirements for medical and legitimate uses of the importer for any subsequent period that may be designated by the Commissioner. In lieu of any special statement that may be considered necessary, the Commissioner may accept the figures given upon the monthly return or returns submitted by said importer under the act of December 17, 1914, as amended, and regulations thereunder.

CHAPTER II. EXPORTS

Act of May 26, 1922, as amended

Sec. 6 (a). That it shall be unlawful for any person subject to the jurisdiction of the United States Government to export or cause to be exported from the United States, or from territory under its control or jurisdiction, or from countries in which the United States exercises extraterritorial jurisdiction, any narcotic drug to any other country: *Provided*, That narcotic drugs (except smoking opium and opium prepared for smoking, the exportation of which is hereby absolutely prohibited) may be exported to a country only which has ratified and become a party to the convention and final protocol between the United States Government and other powers for the suppression of the abuses of opium and other drugs, commonly known as the International Opium Convention of 1912, and then only if (1) such country has instituted and maintains, in conformity with that convention, a system, which the Commissioner of Narcotics deems adequate, of permits or licenses for the control of imports of such narcotic drugs; (2) the narcotic drug is consigned to an authorized permittee; and (3) there is furnished to the Commissioner of Narcotics proof deemed adequate by him that the narcotic drug is to be applied exclusively to medical and legitimate uses within the country to which exported, that it will not be reexported from such country, and that there is an actual shortage of and a demand for the narcotic drug for medical and legitimate uses within such country.

(c) The Commissioner of Narcotics shall make and publish all proper regulations to carry into effect the authority vested in him by this Act.

ART. 17. Exportation.—No person shall in any manner export from or take out of the United States, or cause to be exported or taken out of the United States any narcotic drug, nor shall any carrier receive for exportation, or export, or carry out of the United States any narcotic drug, unless and until a permit, in due form, to export the narcotic drug in each instance shall have been issued by the Commissioner.

ART. 18. Application for export permit.—A separate permit must be obtained for each consignment of narcotic drugs to be exported. Application for permission to export narcotic drugs shall be made under oath on an approved form provided by the Treasury Department for the purpose, and such application shall be transmitted to the Commissioner of Narcotics, Bureau of Narcotics, Treasury Department, Washington, D. C. Each application shall show the date of execution, the exporter's internal-revenue registry number, and shall show in the space provided the name and detailed description of the narcotic drug or preparation desired to be exported, the net quantity thereof, the number and size of packages or containers, the name and quantity of the narcotic drug contained in any preparation being stated and the quantity of any solids being given in avoirdupois. The application shall contain a printed statement to the effect that the application is made for permission to export the narcotics listed therein, pursuant to the provisions of the Narcotic Drugs Import and Export Act, as amended, and the regulations thereunder. The application shall include the name, address, and business of the consignee, the foreign port of

entry, the port of exportation, the approximate date of exportation, the name of the exporting carrier or vessel (if known, or if unknown it should be stated whether shipment will be made by express, freight, or otherwise, exports of narcotic drugs by mail being prohibited), the date and number, if any, of the supporting foreign import license or permit accompanying the application, and the authority by whom such foreign license or permit was issued. The application shall also contain an averment that the packages are marked according to the regulations, and to the best of affiant's knowledge and belief the narcotics therein are to be applied exclusively to medical and legitimate uses within the country to which exported, will not be reexported therefrom, and are needed therein because there is an actual shortage thereof and a demand therefor for medical and legitimate uses within such country. The application shall be signed by the exporter, or by his duly appointed agent whose title shall be given in the space provided therefor, and shall contain the address from which the drugs will be shipped for exportation.

ART. 19. Foreign import license or permit to be submitted.—There shall also be submitted any import license or permit (and a translation thereof if in a foreign language) or a certified copy of any such license or permit issued by competent authorities in the country of destination, or other documentary evidence deemed adequate by the Commissioner showing that the merchandise is consigned to an authorized permittee, that it is to be applied exclusively to medical and legitimate uses within the country of destination, that it will not be reexported from such country, and that there is an actual shortage of and a demand for the merchandise for medical and legitimate uses within such country. Verification by an American consular officer of signatures on foreign import licenses will be necessary if such licenses do not bear the seal of the officer signing them.

ART. 20. Additional information.—If after careful consideration of the application it is found that approval cannot be given, such fact and the reasons therefor will be communicated to the applicant by the Commissioner. If additional information is required, or other action is necessary to correct any mistake or irregularity in the application or accompanying documents, opportunity will be afforded the prospective exporter by the Commissioner to furnish such additional information or to correct such mistake or irregularity before the application is finally disapproved.

ART. 21. Disposition of copies of export permit.—If, from the facts presented in the application, the Commissioner finds it proper to permit the requested exportation, an export permit shall be prepared in sextuplet in the office of the Commissioner. Each of the six copies of the export permit shall be marked as to disposition and shall be distributed and serve purposes as follows:

(a) The original copy, together with the duplicate and triplicate copies, shall be transmitted to the exporter who will retain the triplicate copy on file as his record of authority for the exportation. The exporter shall present to the customs authorities, at the port of export, except when the shipment is to proceed from an interior port, and then at such interior port, at the time of shipment, the original and duplicate copies. The shipper's export declaration shall be presented to the customs authorities at the port of exportation from the United States. After customs endorsement of export in the space provided on the reverse side of the export permit, the collector of customs shall forward the endorsed original copy of the export permit with the shipment, and return the endorsed duplicate copy to the office of the Commissioner.

(b) The quadruplicate copy of the export permit shall be forwarded to the collector of customs at the port of export for comparison with the original and to be retained for the customs record.

(c) The quintuplicate copy of the export permit shall be sent to the officer in the country of destination who issued the import certificate, or other documentary evidence upon which the export permit is founded.

(d) The sextuple copy of the export permit shall be retained on file in the office of the Commissioner.

ART. 22. *Shipment from interior port.*—In the event the consignment shall proceed from an interior port, the collector of customs at the interior port, after endorsing the original and duplicate copies of the export permit, shall forward the original copy with the shipment and shall transmit the duplicate copy of the export permit to the collector of customs at the port of lading on the export vessel or conveyance, and the latter collector of customs, after endorsing the duplicate copy, shall transmit it to the office of the Commissioner.

ART. 23. *Special conditions relative to export permits.*—Each export permit shall be serially numbered, and shall be predicated upon a separate import certificate or other documentary evidence, and not more than one shipment shall be made thereon. All export permits shall be entered in a register kept for that purpose in the office of the Commissioner. Export permits are not transferable.

ART. 24. *Expiration date.*—An export permit shall not be valid after the date specified therein, which date shall conform to the expiration date specified in the supporting import certificate or other documentary evidence upon which the export permit is founded, but in no event shall the rate be subsequent to three months after the date the permit is issued. Any unused export permit shall be returned by the permittee to the office of the Commissioner for cancellation.

ART. 25. *Who may export.*—No export permit will be issued unless and until the applicant shall be duly registered or qualified as an exempt official in accordance with the act of December 17, 1914, as amended, and the regulations thereunder.

ART. 26. *Exportation to countries which have exceeded estimate.*—No export permit shall be issued for the exportation of any narcotic drug to any country when the Commissioner has information to show that the estimates submitted with respect to that country for the current period, under Article 5 of the Narcotics Limitation Convention of 1931 have been, or, considering the quantity proposed to be imported, will be exceeded. If it shall appear, through subsequent advice received from the Permanent Central Opium Board, that the estimates of the country of destination have been adjusted to permit further importation of the narcotic drug, an export permit may then be issued if otherwise permissible.

ART. 27. *Records required of exporter.*—The exporter shall keep a record of any serial numbers that might appear on packages of narcotic drugs in quantities of one ounce or more in such a manner as will identify the foreign consignee.

CHAPTER III. IN-TRANSIT SHIPMENTS

Act of May 26, 1922, as Amended

SEC. 5. That no smoking opium or opium prepared for smoking shall be admitted into the United States or into any territory under its control or jurisdiction for transportation to another country, or be transferred or transhipped from one vessel to another vessel within any waters of the United States for immediate exportation or for any other purpose; and, except with the approval of the Commissioner of Narcotics, no other narcotic drug may be so admitted, transferred, or transhipped.

ART. 28. *In-transit shipments.*—Each in-transit shipment under Section 5 of the act will be considered by the Commissioner on its individual merits, but in general the regulations governing exports will be applied so far as practicable.

Articles in transit manifested merely as drugs, medicines, or chemicals, without evidence to satisfy the collector of customs that they are nonnarcotic, shall be detained and subjected at the carrier's risk and expense to such examination as may be necessary to satisfy the collector whether they are of a narcotic character. With a view to avoiding such inconvenience, the carrier should not accept in-transit shipments of such articles unless accompanied by properly verified certificates of the shippers, specifying the items in the shipment and stating whether narcotic or not.

CHAPTER IV. SPECIAL COCA LEAVES

Act of June 14, 1930

SEC. 6. In addition to the amount of coca leaves which may be imported under section 2 (b) of the Narcotic Drugs Import and

Export Act, the Commissioner of Narcotics is authorized to permit, in accordance with regulations issued by him, the importation of additional amounts of coca leaves: *Provided*, That after the entry thereof into the United States all cocaine, ecgonine, and all salts, derivatives, and preparations from which cocaine or ecgonine may be synthesized or made, contained in such additional amounts of coca leaves, shall be destroyed under the supervision of an authorized representative of the Commissioner of Narcotics. All coca leaves imported under this section shall be subject to the duties which are now or may hereafter be imposed upon such coca leaves when imported.

ART. 29. *Importation of special coca leaves.*—Additional amounts of coca leaves (hereinafter designated as special coca leaves) may be imported only under formal permit issued pursuant to Article 33, by persons authorized to import in accordance with these regulations. Applications for such authority shall be made in writing to the Commissioner and shall include an estimate of the quantity of leaves required by the applicant for the calendar year to which the application relates.

ART. 30. *Information required of prospective importer.*—The Commissioner shall take such action on any application as in his opinion will effectuate the intent and purpose of the foregoing section of the act of June 14, 1930, and of these regulations. No authority to import will be granted unless and until the applicant shall have furnished proof satisfactory to the Commissioner:

(a) that, if an individual, he, or if a partnership, each member thereof, or if an association or corporation, the manager, each officer and director, and each member of any board of control, is of good character and standing;

(b) that the applicant is able, by means of a definite process and formula demonstrated to the satisfaction of the Commissioner, to manufacture an extract of coca leaves containing no cocaine, ecgonine, or any salt, derivative, or preparation from which cocaine or ecgonine may be synthesized or made;

(c) that the applicant has the financial standing and responsibility to undertake such manufacturing operation with reasonable likelihood of successful compliance with the intent and purpose of the foregoing section of the Act of June 14, 1930, and of these regulations; and

(d) of any other matter or thing which the Commissioner deems appropriate to consider.

ART. 31. *Matters to be considered in granting permit.*—The applicant shall also furnish proof satisfactory to the Commissioner that the estimated quantity of special coca leaves required by the applicant for the calendar year to which the application relates is reasonable under all the circumstances, taking into consideration, among other things, the applicant's trade connections, production facilities, and financial capacity to perform the indicated manufacturing operation with such estimated quantity of leaves.

The applicant shall agree to comply with the provisions of the foregoing section of the Act of June 14, 1930, and of these regulations, and the provisions of the Act of December 17, 1914, as amended, and to destroy, as hereinafter provided, under the supervision of an authorized representative of the Commissioner, all cocaine, ecgonine, and all salts, derivatives, and preparations from which cocaine or ecgonine may be synthesized or made, contained in and/or produced directly or indirectly from special coca leaves.

The Commissioner, in the determination of his action with respect to any application, may accept the proof furnished in connection with an application relating to a prior year, and may take into consideration any other matter or thing known to him or discovered by investigation which he may deem appropriate to consider in effectuating the intent and purpose of the Act of June 14, 1930, and of these regulations. In no event will authority to import be granted unless the Commissioner is satisfied that the application is made in good faith and not for the purpose of evading the law.

ART. 32. *Approval or disapproval of application.*—The Commissioner shall advise the applicant of his approval or disapproval of the application, and, in the event of approval, of the tentative maximum quantity of special coca leaves

allowed the applicant for importation covering the requirements (as determined by the Commissioner) of the applicant for the calendar year to which the application relates. Such tentative maximum allowance may be increased or decreased in the discretion of the Commissioner, either on his own motion or on application supported by proof satisfactory to the Commissioner of the necessity therefor. No permit or permits will be issued allowing the applicant, in supplying such requirements, to import, as a charge against such tentative maximum allowance, a total quantity of special coca leaves in excess of such allowance, except as such allowance shall be increased or decreased in accordance with this article.

ART. 33. *Application for permit to import.*—A separate permit must be obtained for each shipment of special coca leaves imported by the applicant. Application for such permit or permits shall be made by the applicant on an approved form under oath. Such application shall show, in spaces provided thereon, the quantity in pounds of special coca leaves desired to be imported in the shipment and the number of bales or containers thereof; the tentative maximum quantity of special coca leaves allowed the applicant for the calendar year to which the application for permit relates, the total number of pounds of such tentative maximum quantity for which permits have previously been issued, and the total quantity of leaves actually imported thereunder; and the stock on hand of special coca leaves as such and the quantity of special coca leaves represented by finished stock or extract of coca leaves. The figures for stock on hand shall be given as of a date ascertained in the manner provided for in Article 3. The application shall also show the name and address of the consignor, if known at the time the application is submitted; if unknown, the application shall so state, and the name and address shall be furnished to the Commissioner as soon as ascertained by the importer; the foreign port of exportation (i. e., the place where the article will begin its journey of exportation to the United States); the port of entry into the United States; and the latest date the shipment will leave the foreign port. The provisions of Article 4 are hereby made applicable to importations of special coca leaves.

ART. 34. *Registration of importer.*—No permit or permits will be issued unless and until the applicant shall be duly registered in accordance with the Act of December 17, 1914, as amended, and regulations thereunder, and shall have paid the special tax, have rendered the returns and reports, and have kept the records now or hereafter required by such Act and regulations.

ART. 35. *Allotment for calendar year not importable in succeeding year.*—No application for a permit or permits to import received by the Commissioner after the expiration of the calendar year to which any authorized maximum allowance relates will be approved as a charge against such allowance.

ART. 36. *Issuance of permits.*—Permits to import shall be issued in the form, and importations thereunder shall be made in the manner, provided by these regulations. Article 8 of these regulations shall govern the procedure in the case of any shipment of a less or greater quantity of special coca leaves than the quantity authorized by the permit covering such shipment, and Article 9 of these regulations shall govern the procedure with respect to the cancellation, at the request of the importer, of permits to import special coca leaves.

ART. 37. *Withdrawal from customs custody.*—Special coca leaves, upon withdrawal from customs custody, shall be removed to the place of manufacture and safely stored in a storeroom adequately protected against theft and against entry by any persons other than the importing manufacturer and his duly authorized agents and employees, or the Commissioner and his duly authorized representative (hereinafter referred to as the Commissioner's representative). No special coca leaves shall be withdrawn or removed from said place of storage except in the presence of the Commissioner's representative. The importer shall identify each bale or other unit package of special coca leaves after its importa-

tion by attaching thereto a label or tag bearing the number of the permit authorizing the importation, the date withdrawn from customs custody, the inscription "Special Coca Leaves," and an individual serial number. Such bales or packages shall be kept apart from any bales or packages not containing special coca leaves. No special coca leaves shall be used for any purpose other than the purpose authorized by the Act of June 14, 1930 and these regulations.

ART. 38. *Manufacturing operation.*—The manufacturer shall notify the Commissioner, at least ten days in advance, of the commencement of the manufacturing operation with respect to special coca leaves, which operation shall thereafter be conducted to completion entirely separately and independently of any operation not involving special coca leaves. Nothing herein contained, however, shall be construed to prohibit the manufacture from coca leaves, other than special coca leaves, of any extract permitted by law. The manufacturing operation involving special coca leaves shall be as continuous, and completed as expeditiously, as possible, and shall be under the observation of the Commissioner's representative.

Immediately prior to the introduction into the manufacturing process of any given quantity of special coca leaves, the manufacturer or his agent duly authorized for the purpose shall, when requested by the Commissioner or his representative, furnish therefrom to the Commissioner's representative such a sample (selected in the presence of the representative) as the latter may require, together with a memorandum dated and signed by the manufacturer or his said agent showing the quantity of special coca leaves from which such sample was taken and the number, and identifying marks (see Article 37), of the original bales or unit packages of such leaves. The Commissioner's representative shall forward the sample and the memorandum to the Commissioner, or to such chemical laboratory as the Commissioner may designate. A similar sample shall be taken at the same time by the manufacturer or his agent for the purpose of analysis.

ART. 39. *Residue.*—At that point in the manufacturing process where the initial extract of special coca leaves undergoes a primary separation into two products, one containing principally flavoring extract and the other principally cocaine, ecgonine, and their salts and derivatives, the manufacturer or his duly authorized agent shall, in the presence of the Commissioner's representative, segregate the latter product, remove its content of recoverable alcohol, and ascertain the weight of the residue, and shall sign and deliver to the representative a dated memorandum showing such weight, the quantity of special coca leaves represented by such residue, and the number, and identifying marks, of the original bales or unit packages of such leaves. The Commissioner's representative shall forward such memorandum to the Commissioner or to such chemical laboratory as the Commissioner may designate, together with a sample of such residue, and the manufacturer shall take a similar sample for the purpose of analysis. The residue, after the taking of such samples, shall be immediately destroyed by the manufacturer, by incineration, in the presence of the Commissioner's representative. The same procedure shall be followed, in so far as the weighing, taking of samples, and forwarding of memoranda are concerned, with respect to the other product of the aforementioned primary separation; the residue, however, after the taking of samples, shall be continued in process. The representative may also take and forward samples of recovered alcohol.

ART. 40. *Samples.*—At any other stage in the process where substances containing cocaine, ecgonine, or salts, derivatives, or preparations from which cocaine or ecgonine, may be synthesized or made, are separated from other substances, the procedure hereinabove set forth shall be followed, including the forwarding of samples and memoranda, relative thereto, the taking of similar samples for the purpose of analysis by the manufacturer, and the destruction, after the taking of such samples, of substances required to be destroyed. The manufacturer or his agent shall also furnish

the Commissioner's representative a sample of finished extract as it is withdrawn from process supposedly free from cocaine, ecgonine, and salts, derivatives, and preparations from which cocaine or ecgonine may be synthesized or made, together with a memorandum dated and signed by the manufacturer or such agent showing the quantity of finished extract, the quantity of special coca leaves represented by such finished extract, and the number, and identifying marks, of the original bales or unit packages of such leaves. The memorandum relative to each quantity of finished extract withdrawn from process shall include a certificate by the manufacturer that the quantity of finished extract of special coca leaves so withdrawn does not contain any cocaine, ecgonine, or any salt, derivative, or preparation from which cocaine or ecgonine may be synthesized or made. The manufacturer or his agent shall also furnish the Commissioner's representative a sample of the spent or used special coca leaves from each factory run, and a memorandum dated and signed by the manufacturer or his agent showing the quantity of special coca leaves represented by such spent leaves, and the number, and identifying marks of the original bales or unit packages of such special coca leaves. The Commissioner's representative shall forward such samples and memoranda to the Commissioner or to such chemical laboratory as the Commissioner may designate. Similar samples of finished extract and of spent or used special coca leaves shall be taken by the manufacturer for the purpose of analysis. The spent leaves, after taking of such samples, shall be immediately destroyed by the manufacturer by incineration, in the presence of the Commissioner's representative.

The Commissioner's representative shall have authority, under the direction of the Commissioner, to select and forward to the Commissioner such other samples of special coca leaves and the products thereof as are deemed appropriate, whether or not such samples are otherwise required by these regulations.

ART. 41. Commissioner's representative to have access to factory.—The Commissioner's representative shall have access at all times to the factory, storage rooms, and laboratories where any operation, process, or analysis involving special coca leaves, their salts, derivatives, preparations, products, or extracts is taking place, or where any such special coca leaves, their salts, derivatives, preparations, products, or extracts are situated or found.

The Commissioner's representative shall be afforded a full measure of cooperation in the performance of his duties in order that the intent and purpose of the Act of June 14, 1930, may be accomplished. Failure on the part of any importing manufacturer or his agent or employee to afford such cooperation to the Commissioner's representative, or to permit the access authorized by the preceding paragraph to the factories, storage rooms, or laboratories of such manufacturer, shall be grounds for canceling, pursuant to Article 44, both the authority to import under these regulations and the permits granted thereunder.

ART. 42. Reports to Commissioner.—The manufacturer shall make such additional reports to the Commissioner, and shall furnish to him by written statement such analytical data relative to the alkaloidal content, at any stage in the process, of special coca leaves or any product therefrom and such further information regarding analytical methods, as the Commissioner may deem necessary.

ART. 43. Discontinuance of business.—In the event that any person, by reason of bankruptcy, insolvency, receivership, or voluntary or involuntary abandonment or discontinuance (other than mere suspension) of the business of manufacturing an authorized extract of coca leaves, or by reason of any other cause or condition (for example, see Article 44 and the last paragraph of Article 41), is unable, in accordance with the Act of June 14, 1930, and of these regulations, to make use of any special coca leaves or of any of the products thereof the destruction of which is not otherwise provided for by these regulations, such special coca leaves and such products shall be seized by the Commissioner and destroyed by incineration, provided, however,

that after seizure and before destruction the manufacturer shall be given notice of the proposed destruction and the reasons therefor, and a reasonable opportunity to appear and show cause why such destruction should not be accomplished.

ART. 44. Cancellation of permit.—The Commissioner may withdraw any authorization and may cancel any permit previously granted to any manufacturer, if such manufacturer, by reason of bad faith, carelessness, incompetency, the causes for seizure specified in Article 43, or any other cause, fails to comply with these regulations or by any act or omission fails to observe the intent or purpose of the Act of June 14, 1930, provided, however, that the manufacturer shall be given notice of the Commissioner's proposed action in that regard and the reasons therefor, and a reasonable opportunity to appear and show cause why such action should not be taken.

ART. 45. Compliance with act of December 17, 1914, as amended.—Nothing contained in these regulations shall be construed to exempt any manufacturer from compliance with the Act of December 17, 1914, as amended, and regulations thereunder.

ART. 46. Returns required.—Every manufacturer using special coca leaves imported into the United States pursuant to the Act of June 14, 1930, shall render a quarterly return on Form 167 and its supplements, and shall thereon account for all transactions involving such leaves or substances derived therefrom which contain cocaine or ecgonine, or any salts, derivatives, or preparations from which cocaine or ecgonine may be synthesized or made. This return shall be signed and sworn to by the manufacturer or his authorized agent, and rendered direct to the Commissioner of Narcotics on or before the 12th day of the month following the period for which the return is made. Such return shall include a report of all importations of special coca leaves on Form 169a, a report of all materials entered into the processes of manufacture on Form 169b, a report of the various substances produced therefrom on Forms 169c, 169d and 169e, a report of all such substances destroyed on Form 169f, and a summary of operations on Form 169g.

ART. 47. Report of importations.—The report of importations on Form 169a shall show in appropriate columns the following data as to each importation:

- (1) The date of the import permit
- (2) The serial number of the import permit
- (3) The name of the foreign consignor
- (4) The address of the foreign consignor
- (5) The foreign port of export
- (6) The number of bales imported
- (7) The serial numbers of the bales imported
- (8) The quantity imported in avoirdupois pounds.

ART. 48. Report of materials used.—The report of materials entered into the processes of manufacture on Form 169b shall show in appropriate columns the following information as to each lot of leaves dumped:

- (1) The lot number or specification, a specification to be assigned to each dump for identification purposes in order to avoid repeating the serial numbers of the bales when the lot is subsequently referred to
- (2) The date the leaves were put in process of manufacture
- (3) The number of bales dumped
- (4) The serial numbers of the bales
- (5) The quantity of leaves put in process, stated in avoirdupois pounds
- (6) The quantity of alcohol used for each extraction or wash of the leaves, by alcohol
- (7) The quantity of water used for each water extraction or dilution
- (8) The quantity of any other or additional substance introduced at any stage into the process of manufacture
- (9) The dry weight of any filter cloth or other absorbent material to be later removed from process after saturation.

ART. 49. Reports of manufacture.—The reports of substances produced from special coca leaves, Forms 169c, 169d

and 169e, shall show, in appropriate columns the following information as to each production lot or dump:

- (1) The lot number
- (2) The quantity of ground leaves entered into process, in terms of avoirdupois ounces and the quantity, in ounces and grains, of alkaloid contained therein as determined by analysis
- (3) The quantity of substance in process after each distinct step in the manufacturing process and the total alkaloid contained in each, stated in ounces and grains
- (4) The quantity of exhausted or spent leaves and the quantity of each residue removed from process, and the total alkaloid contained in each, stated in ounces and grains
- (5) The weight of the used filter cloth or other absorbent material removed, after saturation
- (6) The quantity, in gallons, of finished extract produced.

ART. 50. *Report of residues destroyed.*—The report of residues destroyed, Form 169f, shall show for each lot destroyed, in appropriate columns the following data:

- (1) The lot number
- (2) The quantity of spent leaves, residues, and saturated materials destroyed, stated separately for each
- (3) The name of the government officer witnessing the destruction.

ART. 51. *Summary.*—The summary, Form 169g, shall include a complete accounting for all transactions in raw leaves, leaves in process, and residues removed from production processes. The summary of raw coca leaves shall show:

- (1) The quantity of special coca leaves on hand at the beginning of the quarter
- (2) The quantity of special coca leaves imported during the quarter
- (3) The quantity of special coca leaves put into process of manufacture during the quarter
- (4) The quantity of special coca leaves on hand at the end of the quarter
- (5) Any other transaction during the quarter which increased or decreased the quantity of raw coca leaves on hand.

The summary of coca leaves in process shall show:

- (1) The quantity of special coca leaves in process at the beginning of the quarter
- (2) The quantity of such leaves placed in process during the quarter
- (3) The quantity of such leaves represented by lots completed during the quarter
- (4) The quantity of such leaves represented by lots in process at the end of the quarter
- (5) Any other transaction during the quarter which increased or decreased the quantity of leaves in process.

The summary of residues removed from production processes shall show, in appropriate columns, separately as to spent leaves, each residue and saturated material, the following information:

- (1) The quantity of each, on hand at the beginning of the quarter, awaiting destruction
- (2) The quantity of each removed from process during the quarter
- (3) The quantity of each destroyed during the quarter
- (4) The quantity of each on hand at the end of the quarter
- (5) Any other transaction during the quarter affecting the quantity of such residues on hand.

CHAPTER V. GENERAL

ART. 52. *Importation or exportation by mail prohibited.*—Neither importation nor exportation of narcotic drugs shall be made by means of the regular mails or by parcel post.

ART. 53. *Medical stores on vessels.*—Collectors of customs may permit narcotic drugs in reasonable quantities and properly listed as medical stores of vessels to remain on such vessels if satisfied that such drugs are adequately safe-

guarded and used only for medical purposes. Smoking opium or opium prepared for smoking shall be seized, however, whenever and wherever found within the jurisdiction of the United States.

ART. 54. *Drugs seized to be delivered to collector of customs.*—All narcotic drugs seized under the Narcotic Drugs Import and Export Act, as amended, by any Federal officer, other than a customs officer, shall be immediately delivered into the custody of the collector of customs in whose district the seizure was made, with a full report of the circumstances of the seizure, provided that where the seizure is made by a narcotic inspector or agent in connection with an investigation which such inspector or agent considers may result in criminal prosecution under any Federal narcotic law, the drugs so seized shall not be delivered into the custody of the collector of customs, but custody of such drugs shall be retained by the appropriate narcotic officer until it is determined that same will not, or will no longer, be required as evidence, whereupon disposition thereof shall be made as provided by law.

ART. 55. *Forwarding drugs to Drugs Disposal Committee.*—All narcotic drugs which have been forfeited to the Government, and are no longer required for purposes of evidence, shall immediately be forwarded to the Commissioner of Narcotics, (Drugs Disposal Committee) for proper disposition.

ART. 56. *Disposition of forfeited drugs.*—Narcotic drugs forfeited to the United States under the provisions of law may be delivered to any department, bureau, or other agency of the United States Government upon proper application addressed to the Commissioner of Narcotics. The application shall show the name, address, and official title, bureau, or agency, and department, of the person to whom the narcotic drugs are to be delivered, the kind and quantity of narcotics desired, and the purpose for which intended. The delivery of such narcotic drugs shall be ordered by the Commissioner of Narcotics, if in his opinion, there exists a medical or scientific need therefor. The order will be filled by the Drugs Disposal Committee which will obtain a receipt for narcotic drugs delivered.

ART. 57. *Penalties.*—Persons who fraudulently or knowingly import or bring into the United States or any territory under its control or jurisdiction, any narcotic drug, in violation of the act, or assist in so doing, or receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale, of any such narcotic drug after being imported or brought in, knowing the same to have been imported in violation of the act, shall be liable to a fine of not more than \$5,000 and imprisonment for not more than ten years.

Persons who export or cause to be exported any narcotic drug in violation of the act are liable to punishment, the maximum liability being to a fine in any sum not exceeding \$5,000 nor less than \$50, or imprisonment for any time not exceeding two years, or both.

However, attention is invited to the provisions of the Act of August 12, 1937 (U. S. C., Supp. III, title 21, sec. 200), which provides for additional punishment for second, third and subsequent offenders in certain cases.

ART. 58. *Permits issued prior to effective date of regulations.*—Permits to import or export narcotic drugs which shall have been issued by the Commissioner prior to the effective date of these regulations shall continue in force and effect under the laws and regulations in effect when such authorizations were issued, unless specifically revoked by the Commissioner.

ART. 59. *Regulations subject to provisions of other pertinent laws and regulations.*—These regulations shall be subject to the provisions of the customs, internal-revenue, and other pertinent laws of the United States and regulations promulgated thereunder.

ART. 60. *Effective date.*—These regulations shall take effect June 1, 1938, and shall supersede all regulations heretofore made and promulgated.

ART. 61. *Promulgation of regulations.*—In pursuance of Sections 2 (b) and 6 (c) of the Act of May 26, 1922, as amended,

and Sections 3 (a) and 6 of the Act of June 14, 1930, the foregoing regulations are hereby made and promulgated.

[SEAL]

H. J. ANSLINGER,
Commissioner of Narcotics.

Approved, May 28, 1938.

STEPHEN B. GIBBONS,

Acting Secretary of the Treasury.

[P. R. Doc. 38-1536; Filed, May 31, 1938; 3:43 p. m.]

DEPARTMENT OF AGRICULTURE.

Bureau of Entomology and Plant Quarantine.

[B. E. P. Q.—Q. 63]

WHITE-PINE BLISTER RUST QUARANTINE NO. 63

REVISION OF REGULATIONS, EFFECTIVE JULY 1, 1938

Introductory Note

Several important changes are made in the restrictions on the interstate movement of five-leaved pines and current and gooseberry plants in the following revision of the white-pine blister rust quarantine regulations. An embargo is placed on the interstate movement of five-leaved pines into two pine-growing regions, one in the West comprising the States of Arizona, Colorado, Nevada, New Mexico, Utah, Wyoming, and part of California, and the other in the Southeast comprising the States of Georgia, Kentucky, North Carolina, South Carolina, and Tennessee. The interstate movement of such pines from States other than these 11 entire States and from 10 northern California counties into the regions described is prohibited. The new regulations are designed to protect these pine-growing areas in which the blister rust is not known to exist.

No other restrictions are placed on the interstate movement of five-leaved pines unless they are visibly infected with the rust.

The dipping and dormancy requirements for currant and gooseberry plants which formerly applied only to shipments originating in the infected States, now apply to all shipments consigned to the States and counties listed above, from any State or District other than the 11 entire States and from the 10 northern California counties.

The control-area permit requirement now applies to currant and gooseberry plants consigned to 23 States as listed in regulation 3 (b). The aim of this requirement is to strengthen the Federal-State control activities carried on in areas surrounding valuable stands of five-leaved pine in these States.

No modification is made in the embargo as to all interstate movement of European black currant plants and of the wild native western currant plants (*Ribes bracteosum* and *R. petiolare*) except as to unrestricted movement into and between 12 central States as heretofore.

Summary

Five-Leaved Pine Shipments (Regulation 2)

Five-leaved pines are prohibited movement into the following regions, except that no restrictions are placed on the interstate movement of such pines from or between any of these 11 entire States nor from the part of California described:

Arizona.	Nevada.
California (That part lying south of the south line of the counties of Humboldt, Trinity, Tehama, Butte, Plumas, and Lassen).	New Mexico.
Colorado.	North Carolina.
Georgia.	South Carolina.
Kentucky.	Tennessee.
	Utah.
	Wyoming.

No pines or their parts visibly infected with blister rust may be shipped into any State or District unless shipped in a preservative or under special authorization of regulation 7. For permit requirements in shipping five-leaved pines for planting on Federal lands in the above regions see regulation 7.

Currant and Gooseberry Shipments (Regulation 3)

Requirements as to shipments from any State or District into each of the States, as follows:

Destination State	<i>Ribes nigrum</i> (European black currant); <i>R. bracteosum</i> and <i>R. petiolare</i> (wild, western currants). Restrictions	Other currant and gooseberry plants	
		Control-area permit required from State of destination	Plants must be either dipped or dormant and defoliated
Alabama.....	None.....	No.....	No.....
Arizona.....	Prohibited.....	No.....	Yes, with exceptions. ¹
Arkansas.....	None.....	No.....	No.....
California:			
That part south of the southern line of the counties of Humboldt, Trinity, Tehama, Butte, Plumas, and Lassen.	Prohibited.....	Yes.....	Yes, with exceptions. ¹
That part north of the above line.	Prohibited.....	Yes.....	No.....
Colorado.....	Prohibited.....	No.....	Yes, with exceptions. ¹
Connecticut.....	do.....	Yes.....	No.....
Delaware.....	do.....	No.....	No.....
District of Columbia.....	do.....	No.....	No.....
Florida.....	None.....	No.....	No.....
Georgia.....	Prohibited.....	Yes.....	Yes, with exceptions. ¹
Idaho.....	do.....	Yes.....	No.....
Illinois.....	do.....	No.....	No.....
Indiana.....	do.....	No.....	No.....
Iowa.....	do.....	No.....	No.....
Kansas.....	None.....	No.....	No.....
Kentucky.....	Prohibited.....	No.....	Yes, with exceptions. ¹
Louisiana.....	None.....	No.....	No.....
Maine.....	Prohibited.....	Yes.....	No.....
Maryland.....	do.....	Yes.....	No.....
Massachusetts.....	do.....	Yes.....	No.....
Michigan.....	do.....	Yes.....	No.....
Minnesota.....	do.....	Yes.....	No.....
Mississippi.....	None.....	No.....	No.....
Missouri.....	None.....	No.....	No.....
Montana.....	Prohibited.....	Yes.....	No.....
Nebraska.....	None.....	No.....	No.....
Nevada.....	Prohibited.....	No.....	Yes, with exceptions. ¹
New Hampshire.....	do.....	Yes.....	No.....
New Jersey.....	do.....	Yes.....	No.....
New Mexico.....	do.....	No.....	Yes, with exceptions. ¹
New York.....	do.....	Yes.....	No.....
North Carolina.....	do.....	Yes.....	Yes, with exceptions. ¹
North Dakota.....	None.....	No.....	No.....
Ohio.....	Prohibited.....	Yes.....	No.....
Oklahoma.....	None.....	No.....	No.....
Oregon.....	Prohibited.....	No.....	No.....
Pennsylvania.....	do.....	Yes.....	No.....
Rhode Island.....	do.....	Yes.....	No.....
South Carolina.....	do.....	No.....	Yes, with exceptions. ¹
South Dakota.....	None.....	No.....	No.....
Tennessee.....	Prohibited.....	Yes.....	Yes, with exceptions. ¹
Texas.....	None.....	No.....	No.....
Utah.....	Prohibited.....	No.....	Yes, with exceptions. ¹
Vermont.....	do.....	Yes.....	No.....
Virginia.....	do.....	Yes.....	No.....
Washington.....	do.....	Yes.....	No.....
West Virginia.....	do.....	Yes.....	No.....
Wisconsin.....	do.....	Yes.....	No.....
Wyoming.....	do.....	No.....	Yes, with exceptions. ¹

¹ Plants must be dipped immediately before shipment in a lime-sulphur solution of 4.5° B. Prepare this solution by diluting 1 part of commercial concentrated lime-sulphur solution of 32° B. with 8 parts of water.

² Plants originating in Arizona, Colorado, Georgia, Kentucky, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Utah, or Wyoming, or in that part of California lying south of the south line of the counties of Humboldt, Trinity, Tehama, Butte, Plumas, and Lassen, are not required to be dipped or dormant.

Applications for Control-Area Permits

Shippers should apply for control-area permits (Form 415) to the officer of the State to which shipments are to be made (addresses of officers are listed below) stating the kind of plants to be shipped and the names and addresses of the consignor and consignee.

State	Federal inspector designated to act in the State into which shipment is to be made
California.....	Chief, Bureau of Plant Quarantine, Sacramento, Calif.
Connecticut.....	State Entomologist, Agricultural Experiment Station, New Haven, Conn.
Georgia.....	State Entomologist, Atlanta, Ga.
Idaho.....	Director, Bureau of Plant Industry, Boise, Idaho.
Maine.....	State Horticulturist, Augusta, Maine.
Maryland.....	State Plant Pathologist, College Park, Md.
Massachusetts.....	Director, Division of Plant Pest Control, State House, Boston, Mass.
Michigan.....	Inspector in Charge, Orchard and Nursery Inspection, Department of Agriculture, Lansing, Mich.

State	Federal inspector designated to act in the State into which shipment is to be made—Con.
Minnesota-----	Commissioner of Conservation, State Office Building, St. Paul, Minn.
Montana-----	Chief, Division of Horticulture, Missoula, Mont.
New Hampshire-----	State Nursery Inspector, Durham, N. H.
New Jersey-----	Chief, Bureau of Plant Industry, Trenton, N. J.
New York-----	Director, Bureau of Plant Industry, Albany, N. Y.
North Carolina-----	State Entomologist, Department of Agriculture, Raleigh, N. C.
Ohio-----	Chief, Division of Plant Industry, Columbus, Ohio.
Pennsylvania-----	Chief, Division of Forest Protection, Harrisburg, Pa.
Rhode Island-----	State Entomologist, 310 State House, Providence, R. I.
Tennessee-----	State Entomologist and Plant Pathologist, 406 Morrill Hall, University of Tennessee, Knoxville, Tenn.
Vermont-----	Forest Commissioner, Montpelier, Vt.
Virginia-----	State Entomologist, 1112 State Office Building, Richmond, Va.
Washington-----	Supervisor of Horticulture, Department of Agriculture, Olympia, Wash.
West Virginia-----	Commissioner, Department of Agriculture, Charleston, W. Va.
Wisconsin-----	State Entomologist, Madison, Wis.

AVERY S. HOYT,
Acting Chief, Bureau of Entomology
and Plant Quarantine.

NOTICE OF QUARANTINE NO. 63

(Approved August 27, 1926; effective October 1, 1926; supersedes Quarantine No. 26, as amended, and Quarantine No. 54, as extended)

I, C. F. Marvin, Acting Secretary of Agriculture, have determined that it is necessary to quarantine every State of the continental United States and the District of Columbia, in order to prevent the spread of the white-pine blister rust (*Cronartium ribicola* Fischer), a dangerous plant disease not heretofore widely prevalent or distributed within and throughout the United States.

Now, therefore, under authority conferred by the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended by the act of Congress approved March 4, 1917 (39 Stat. 1134, 1165), and having duly given the public hearing required thereby, I do quarantine every State in the continental United States and the District of Columbia, effective on and after October 1, 1926. Hereafter, under the authority of said act of August 20, 1912, amended as aforesaid, no five-leaved pines (*Pinus*) or currant and gooseberry plants (*Ribes* and *Grossularia*, including cultivated or wild or ornamental sorts) shall be moved or allowed to be moved from any such State or from the District of Columbia into or through any other State in the continental United States or the District of Columbia, except in manner or method or under conditions prescribed in the rules and regulations supplemental hereto and in amendments thereof: *Provided*, That the restrictions of this quarantine and the rules and regulations supplemental hereto may be limited to the areas in a quarantined State now or hereafter designated by the Secretary of Agriculture as infected when said State shall have provided for and enforced such control measures with respect to such designated areas as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to effect the control and prevent the spread of the white-pine blister rust: *Provided further*, That, for the enforcement of the restrictions under this quarantine on the interstate movement of five-leaved pines and currant and gooseberry plants, all interstate shipments of nursery stock or other plants shall be subject to inspection at place of shipment or destination or at any point en route, by duly authorized inspectors of the United States Department of Agriculture.

Done at the city of Washington this 27th day of August 1926.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

C. F. MARVIN,
Acting Secretary of Agriculture.

REVISED RULES AND REGULATIONS SUPPLEMENTAL TO NOTICE OF QUARANTINE NO. 63

(Approved June 1, 1933; Effective July 1, 1933)

Regulation 1. Definitions

For the purpose of these regulations the following words, names, and terms shall be construed, respectively, to mean:

(a) *White-pine blister rust, or blister rust*.—The fungus disease caused by *Cronartium ribicola* Fischer.

(b) *Five-leaved pines*.—Entire plants with roots, of the following species belonging to the genus *Pinus*:

American species:

Ayacahuite pine (*P. ayacahuite* Ehrenb.).
Bristlecone pine (*P. aristata* Engelm.).
Foxtail pine (*P. balfouriana* Murr.).
Lamber pine (*P. flexilis* James).
Mexican white pine (*P. strobiformis*, Engelm.).
Sugar pine (*P. lambertiana* Dougl.).
Western white or silver pine (*P. monticola* D. Don).
White bark pine (*P. albicaulis* Engelm.).
White pine (northern) (*P. strobus* L.).

Foreign species:

Balkan pine (*P. peuce* Criseb.).
Chinese white pine (*P. armandi* Franch.).
Himalayan or Bhotan pine (*P. excelsa* Wall.).
Japanese white pine (*P. parviflora* Sieb. and Zucc.).
Korean pine (*P. koraiensis* Sieb. and Zucc.).
Swiss stone pine (*P. cembra* L.).

(c) *Current and gooseberry plants*.—Plants, cuttings, or scions, belonging to the genera *Ribes* L. and *Grossularia* (Tourn.) Mill., including cultivated or wild or ornamental sorts.

(d) *European black currant plants*.—Plants, cuttings, stocks, scions, buds, seeds, or parts of plants of *Ribes nigrum* L.

(e) *Inspector*.—An inspector of the United States Department of Agriculture.

(f) *Dormant*.—In a nonvegetative state, with inactive buds.

(g) *Moved interstate*.—Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved from one State or District of the United States into or through any other State or District.

Regulation 2. Control of Movement of Five-Leaved Pines

(a) Five-leaved pines shall not be moved interstate into any of the States of Arizona, Colorado, Georgia, Kentucky, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Utah, or Wyoming, nor into that part of California lying south of the south line of the counties of Humboldt, Trinity, Tehama, Butte, Plumas, and Lassen: *Provided*, That no restrictions are placed on the interstate movement of such pines from or between any of the 11 above-named entire States nor from the part of California described.

(b) Five-leaved pines or parts thereof, when visibly infected with the white-pine blister rust shall not be moved interstate into any State or District unless such pines are shipped in a preservative or are authorized and labeled in accordance with the provisions of regulation 7.

Regulation 3. Control of Movement of Currant and Gooseberry Plants

(a) *Embargo on European black currant plants*.—No European black currant plants (*Ribes nigrum*) and no currant plants of the wild native western species known as *R. bracteosum* and *R. petiolare* shall be moved interstate in the continental United States except into or within the area comprised in the States of Alabama, Arkansas, Florida, Kansas, Louisiana, Mississippi, Missouri, Nebraska, North Dakota, Oklahoma, South Dakota, and Texas.

(b) *Control-area permits required*.—No currant or gooseberry plants of any species or variety shall be moved inter-

state into any of the States of California,¹ Connecticut, Georgia,¹ Idaho, Maine, Maryland, Massachusetts, Michigan, Minnesota,¹ Montana, New Hampshire, New Jersey, New York, North Carolina,¹ Ohio, Pennsylvania, Rhode Island, Tennessee,¹ Vermont, Virginia, Washington, West Virginia, or Wisconsin, unless a Federal control-area permit has been issued therefor by an inspector designated to act for the Bureau of Entomology and Plant Quarantine in such State (see addresses in Summary). Such permit will not be issued if the plants are to be shipped into or planted in areas in which five-leaved pines have been protected from white-pine blister rust or in which such protection is contemplated. The continuance of this requirement as to any State is conditioned on the State providing such legal or other control on the planting and movement therein of currant and gooseberry plants as in the judgment of the Secretary of Agriculture may be deemed adequate to control white-pine blister rust in the protected areas.

(c) *Dipping or dormancy required.*—No currant or gooseberry plants of any species or variety shall be moved interstate into any of the States of Arizona, Colorado, Georgia,² Kentucky, Nevada, New Mexico, North Carolina,² South Carolina, Tennessee,² Utah, or Wyoming, nor into that part of California² lying south of the south line of the counties of Humboldt, Trinity, Tehama, Butte, Plumas, and Lassen, unless such plants have either been dipped (except the roots) immediately prior to shipment in lime-sulphur solution of a strength of 4.5° B.,³ or are shipped in a dormant and defoliated condition. Such lime-sulphur dip shall be plainly visible on said plants and be easily detectable by odor, the judgment of the inspector to be final as to adequacy of the dip and as to the condition of the plants as to dormancy or defoliation: *Provided*, That no such dipping or dormancy restrictions are placed on the interstate movement of currant and gooseberry plants from or between any of the 11 above-named entire States, nor from the part of California described.

Regulation 4. Marking Requirements

(a) Every box, bale, or other container of plants for which permits are required by regulations 3 and 7 shall be plainly marked with the name and address of the consignor and of the consignee, and shall bear the permit securely attached to the outside thereof.

(b) The permit in the case of carload shipments by rail shall accompany the waybill, conductor's manifest, memorandum, or bill of lading pertaining to such shipment. In the case of shipment by road vehicle, the permit shall accompany the vehicle.

Regulation 5. Inspection in Transit

Every car, vehicle, box, bale, or other container moved interstate or offered to a common carrier for shipment interstate, which contains or which the inspector has probable cause to believe contains either infected articles or articles the movement of which is prohibited or restricted by these regulations, shall be subject to inspection by an inspector at any time or place.

Regulation 6. Cancellation of Permits

Permits issued under these regulations may be withdrawn or canceled and further permits refused, whenever in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such permits might result in the dissemination of the white-pine blister rust. After any such permit is withdrawn or has expired, the further use of any permit tags issued thereunder is prohibited.

Regulation 7. Shipments for Reforestation, Experimental, Educational, or Scientific Purposes

Plants subject to restriction in these regulations may be moved interstate for reforestation purposes on Federal lands,

¹ Dormancy and defoliation or lime-sulphur dip is also required for shipments to these States (see paragraph (c)).

² Control-area permits are also required for shipments to these States. See paragraph (b).

³ Prepare this solution by diluting 1 part of commercial concentrated lime-sulphur solution of 32° B. with 8 parts of water.

or for experimental, educational, or scientific purposes on such conditions and under such safeguards as may be prescribed by the Bureau of Entomology and Plant Quarantine. The container of plants so moved, except when shipped to or in care of the Inspection House, Bureau of Entomology and Plant Quarantine, Washington, D. C., shall bear, securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine.

Identifying tags to authorize the interstate movement of five-leaved pines for planting on Federal lands in any of the 11 entire States named and part of California described in regulation 2, will be issued only on condition that such pines have been raised under such sanitation conditions as in the judgment of the Bureau of Entomology and Plant Quarantine are adequate to protect them from infection by white-pine blister rust: *Provided*, That no permit is required for shipping such pines from or between any of the 11 entire States named nor from the part of California described.

These revised rules and regulations shall be effective on and after July 1, 1938, and shall on that date supersede the rules and regulations promulgated February 16, 1937.

Done at the city of Washington this 1st day of June 1938.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

PENALTIES

The Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended, provides that no person shall ship or offer for shipment to any common carrier, nor shall any common carrier receive for transportation or transport, nor shall any person carry or transport from any quarantined State or Territory or District of the United States, or from any quarantined portion thereof, into or through any other State or Territory or District, any class of nursery stock or any other class of plants, fruits, vegetables, roots, bulbs, seeds, * * * or any other article * * * specified in the notice of quarantine * * * in manner or method or under conditions other than those prescribed by the Secretary of Agriculture. It also provides that any person who shall violate any of the provisions of this act or who shall forge, counterfeit, alter, deface, or destroy any certificate provided for in this act or in the regulations of the Secretary of Agriculture shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding \$500 or by imprisonment not exceeding 1 year, or both such fine and imprisonment, in the discretion of the court.

[F. R. Doc. 38-1544; Filed, June 1, 1938; 11:45 a. m.]

Commodity Exchange Administration.

ORDER DESIGNATING THE WOOL ASSOCIATES OF THE NEW YORK COTTON EXCHANGE, INC., AS A CONTRACT MARKET FOR WOOL TOPS UNDER THE COMMODITY EXCHANGE ACT

Pursuant to the authorization and direction contained in the Commodity Exchange Act (7 U. S. C. and Supp. III, secs. 1-17a), as amended by the act of Congress, approved April 7, 1938 (Public, No. 471, 75th Cong.), I, H. A. Wallace, Secretary of Agriculture, do hereby designate the Wool Associates of the New York Cotton Exchange, Inc., of New York, New York, as a contract market for wool tops under the Commodity Exchange Act, said exchange having applied for, and having otherwise complied with the conditions imposed by said act precedent to, such designation. Such designation is subject hereafter to suspension or revocation in accordance with the provisions of said act.

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed in the city of Washington this 1st day of June 1938.

[SEAL]

H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-1543; Filed, June 1, 1938; 11:45 a. m.]

DEPARTMENT OF COMMERCE.

Bureau of Foreign and Domestic Commerce.

REGULATIONS FOR THE COLLECTION OF STATISTICS OF FOREIGN COMMERCE AND NAVIGATION OF THE UNITED STATES

The following regulations are hereby prescribed pursuant to the authority contained in Secs. 161, 335 and 336 Revised Statutes, and Sec. 337 Revised Statutes as amended by the Acts of Feb. 14, 1903, c. 552, Sec. 10, 32 Stat. 829; Aug. 23, 1912, c. 350, Sec. 1, 37 Stat. 407; Mar. 4, 1913, c. 141, Sec. 1, 37 Stat. 736; Mar. 1, 1919, c. 86, 40 Stat. 1256; also the Acts of Mar. 3, 1893 and April 29, 1902, as amended.

GENERAL PROVISIONS

SECTION 1. *Compilation and publication.*—(a) Statistics of imports and exports are compiled and published by the Bureau of Foreign and Domestic Commerce of the Department of Commerce from data supplied by collectors of customs as hereinafter provided. Correspondence relative to statistical reports should be addressed to the above Bureau at Washington, D. C.

(b) Inquiries relating to statistical requirements of import entries and export declarations, and the procedure of coding and forwarding these documents, should be addressed to the Section of Customs Statistics, Department of Commerce, at New York.

SEC. 2. *Accounts, what to show.*—(a) The accounts of the commerce of the United States with foreign countries (or its noncontiguous territory) shall comprehend and include, in tabular form, the quantity, by weight or measure, as well as the value of the various articles of foreign commerce.

(b) Articles sent out of the country temporarily, such as automobiles for touring purposes, commercial samples, circuses, race horses, and other articles intended to be returned to the United States, which are not sold and do not enter the trade of the country to which sent, should not be included in the statistics as exports when shipped abroad, nor as imports when returned to the United States.

SEC. 3. *Statistical reports furnished to collectors.*—(a) The Section of Customs Statistics will supply each collector monthly with statistical reports of the imports into and exports from his district, by commodities and countries, in the form of machine-made tabulations, the district, port, vessel, country, classification, etc., being in code numbers.

(b) The statistical report of imports will appear upon white sheets and exports upon yellow sheets. These sheets should be bound by collectors and used as statistical blotters.

SEC. 4. *Statistics furnished by collectors.*—Trade papers, trade organizations, and commercial concerns may be furnished with such statistical information regarding the foreign trade by customs districts as may be available from the records kept for the purpose of making reports to the Department of Commerce, or as shown in the monthly statistical reports supplied to collectors by the Section of Customs Statistics at New York. In no case shall information be furnished in such manner as to disclose individual transactions or names of importers or exporters.

SEC. 5. *Confidential information.*—The contents of invoices, entries, manifests, and export declarations must be treated as confidential and not disclosed to others than the parties in interest by employees of the Customs Service or the Section of Customs Statistics.

SEC. 6. *Statistical information required in entries.*—(a) The kinds, quantities, and values of all imported articles shall be ascertained from the entries. Collectors of customs shall require entries of imported merchandise to contain the information required in Schedule A, statistical classification of imports, as prescribed by the Secretary of the Treasury, the Secretary of Commerce, and the chairman of the United States Tariff Commission. Tons, where required, should be long tons of 2,240 pounds as construed in section 2951, Revised Statutes, unless short tons are specified.

(b) The values of imported merchandise will be returned in the statistical reports in accordance with the dutiable values are defined in section 402 of the Tariff Act. The value of

the containers or coverings and other charges or expenses incident to placing the merchandise in condition packed ready for shipment to the United States, should be included in the statistical value of merchandise, whether the merchandise is dutiable or free of duty.

(c) For statistical purposes nondutiable charges should be deducted in entries from total invoice values or imported merchandise free of duty, as well as for merchandise subject to duty at specific or ad valorem rates.

SEC. 7. *Shippers' export declarations.*—The kinds, quantities, and values of articles exported to foreign countries or shipped to noncontiguous territory of the United States shall be compiled from the export declaration furnished by the shipper to the collector of customs at the port of exportation, prepared on the official form (customs Form 7525) in accordance with the instructions of T. D. 38410.

SEC. 8. *Separation of domestic and foreign merchandise.*—(a) The export declaration must show foreign goods separately from goods of domestic production. Only those goods will be reported as foreign which have undergone no change in form or condition or enhancement in value by the application of labor in the United States. Articles made from foreign materials or changed from the conditions in which imported by repacking, grinding, refining, or smelting will be classed as of domestic production or manufacture.

(b) Articles exported which are the growth, produce, or manufacture of the United States and articles of foreign origin which have been changed in form and enhanced in value by labor or manufacture in the United States are to be classified in accordance with Schedule B, statistical classification of domestic commodities exported from the United States, issued by the Department of Commerce.

(c) Articles exported which had been previously imported, and which are the growth, produce, or manufacture of foreign countries, and are exported in the same condition in which imported, will be classified in accordance with the Department of Commerce statistical classification of foreign merchandise exported from the United States.

SEC. 9. *Values of exports.*—(a) Articles exported to foreign countries or shipped to noncontiguous territory shall be valued at their actual cost or the values which they may truly bear at the time of exportation or shipment in the ports of the United States from which they are exported or shipped, including the value of cartons, cases, crates, boxes, sacks, and coverings of any kind.

(b) The value stated should be the actual cost or selling price, if the goods are sold, including actual or estimated inland freight charges from the interior place of shipment to the seaport or border point of exportation. If shipped on consignment without a sale having been made, the market value at the time of exportation in the ports of the United States from which exported should be stated.

(c) Freight and other charges from the port of departure in the United States to the place of destination in the foreign country or noncontiguous territory to which shipped must not be included in the export value.

SEC. 10. *Classification of countries.*—(a) In the statistical reports of imports, exports, and vessels entered and cleared the foreign countries will be classified in accordance with Schedule C of the Department of Commerce.

(b) The country to which imports shall be credited for statistical purposes is the country of origin. In cases in which the merchandise is invoiced in or exported from a country other than the country of origin, care should be taken to insure that the country of origin is correctly specified.

(c) Entries for immediate consumption or for warehouse, and withdrawal from warehouse for consumption, shall clearly specify the country of origin of the imported articles as well as the nationality and motive power of the vessel from which the imported articles were landed in the United States or in Canada or Mexico if shipped through either of these countries.

SEC. 11. *Country of destination of exports.*—(a) If the country of ultimate destination of the commodities exported is different from that for which the vessel or car clears or

departs, collectors will require exporters and shippers or their agents to state in the shippers' declarations as the country of ultimate destination the country to which the commodities are sold or destined for a market.

(b) Special care should be taken to state the final destination of goods shipped through Canada to Europe and of goods to be transhipped in the United Kingdom, the Netherlands, Germany, and France to other countries, and of goods shipped through Chile or Peru destined to Bolivia.

Sec. 12. Fractions in quantities and values.—In the expression of values in export declarations and statistical copies of entries, fractions of a dollar less than 50 cents will be ignored, and fractions of 50 cents or upward will be counted at \$1. A like rule will apply to fractions of weight, measure, and tonnage.

Sec. 13. Dates of importation and exportation.—For statistical purposes the date of entry will be regarded as the date of importation and the date of clearance will be regarded as the date of exportation.

Sec. 14. Description of articles exported.—(a) The description of merchandise in export declarations must be stated in specific and not in general terms. Such designations as "fruits," "provisions," "groceries," "canned goods," "hardware," "machinery," or any other general term must not be used. The articles should be described in sufficient detail to permit of their classification under the proper classes of export Schedule B, giving total quantity and value of each article, but omitting invoice details for different marks, sizes, and kinds of the same article.

(b) The number of packages, boxes, barrels, bales, etc., must be specified, with quantities in the unit stated in Schedule B, in net weight exclusive of the weight of barrels, boxes, or other bulky coverings and of salt or pickle in the case of salted or pickled fish and meats. Tons, where required, should be given in long tons of 2,240 pounds.

REPORTS TO THE BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Sec. 15. Errors in entries and export declarations.—(a) Collectors will make a preliminary examination of all import entries and export declarations presented.

(b) If on examination any entries or declarations are found to be inaccurate or incomplete, either in the description of articles, or in omitting to state proper quantities and values, or insertion of the intermediate country instead of the country of final destination, or containing any error apparent on the face of the entry or declaration, the correction thereof will be required before acceptance.

Sec. 16. Reports, forwarding of.—The following reports will be prepared by collectors at headquarters ports in accordance with the detailed instructions printed on the blank forms and forwarded to the Bureau of Foreign and Domestic Commerce at Washington, D. C., as early as possible after the close of the month and in no case later than the time specified for the various reports.

Sec. 17. Imports and exports of gold and silver.—(a) The statistical copy of every entry or export declaration involving gold or silver ore, bullion, coins, etc., shall be transmitted daily by air mail, special delivery, to the Division of Foreign Trade Statistics, Department of Commerce, Washington, D. C. This shall apply to entries and export declarations covering such commodities as copper, lead, etc., if any gold or silver is included therein.

(b) All entries or export declarations covering gold or silver shall furthermore be mailed to the Division of Foreign Trade Statistics, Department of Commerce, Washington, D. C., direct by the port where the entry papers or export declarations are filed.

(c) A separate series of identifying numbers covering such entries and export declarations shall be used. These identifying numbers will be placed immediately above the regular entry or export declaration numbers, and will be continued in numerical order.

Sec. 18. Manufactured articles exported with benefit of drawback on imported materials contained therein.—(a) Such articles will be reported quarterly on commerce Form 1115 within 30 days after the close of each quarter. The

articles will also be returned as domestic exports from the district of exportation.

(b) The articles exported will be shown, with quantities, classified according to Schedule B of the Department of Commerce, enlarged by the addition of sufficient subclasses to show, separately each different kind of article exported, though several may be grouped under the same class number.

(c) For each exported article there will be shown the imported articles contained therein, classified according to Schedule A, showing quantities or values, or both, with rates of duty, sufficient to verify the amount of drawbacks paid.

Sec. 19. Bunker coal or fuel oil.—(a) Bunker coal or fuel oil laden on vessels cleared for foreign countries will be reported monthly on commerce Form 1182, within 15 days after the close of each month.

(b) Collectors will require masters or agents of vessels clearing in the foreign trade to show on the outward foreign vessel manifest the quantities and values of bunker or fuel coal and oil taken on board such vessels for their own fueling use apart from such quantities as may have been laden on the vessel as cargo.

Sec. 20. Dumping duties.—Collectors will report quarterly dumping duties collected under section 202 of the Antidumping Act, 1921, showing commodity, country from which imported, and amount of dumping duties.

Sec. 21. No transactions report.—Whenever there are no transactions in any of the above statements a report to that effect should be rendered within the required time on commerce Form 1175.

Sec. 22. Statistical reports prepared at headquarters ports.—The above statistical returns will be prepared and transmitted at the headquarters ports covering the commerce of the entire district, but the collectors may require that deputy collectors at ports of entry compile monthly reports covering transactions at such ports, to be forwarded to headquarters for consolidation with the district returns.

REPORTS TO SECTION OF CUSTOMS STATISTICS AT NEW YORK

Sec. 23. Imported foods, drugs, etc., subject to inspection.—

(a) Statistical copies of entries for imported foods, drugs, insecticides, and fungicides; meat and meat-food products; grain and grass seeds; viruses, serums, and toxins; tea; narcotic drugs, and other special classes of merchandise subject to inspection, examination, or permit by the Department of Agriculture or other Government offices, should not be transmitted to the Section of Customs Statistics of the Department of Commerce until the goods are admitted and released to the consignee.

(b) Entries for rejected goods which are exported or destroyed, regarded as "nonimportation" under article 557, should not be transmitted to the Section of Customs Statistics; if part of an entry is admitted and part rejected, the rejected portion should be crossed out and clearly indicated on the statistical entry sent to the Section of Customs Statistics.

Sec. 24. Import entries and warehouse withdrawals.—(a) Statistical copies of entries and withdrawals must describe the merchandise in the detail required by the statistical import Schedule A of the Department of Commerce. Collectors will insert the code numbers of district, port, country, and flag in the proper columns and forward the entries to the Section of Customs Statistics at New York in accordance with the procedure outlined in the Treasury decisions.

(b) Collectors may insert the code numbers of commodities and units of quantities if they find it convenient to do so while examining entries for compliance with the commodity classification required by Schedule A.

(c) Entries for imported raw wool must show the class of wool, whether carpet, clothing, combing, mohair, alpaca, etc.; the condition, greasy, washed, scoured, or pulled; and the quality or grade in English or American standards; 36's to 44's as coarse or low crossbred; 44's/46's to 56's as medium crossbred; 56's to 58's as fine crossbred; and 60's and over as fine.

Sec. 25. Reports of corrections.—Changes in classification and changes in quantities or values amounting to \$100 made

in liquidating entries or withdrawals must be reported to the Section of Customs Statistics at New York on customs Form 7401, correction report of import entry or withdrawal. In order to minimize correction reports, collectors may hold entries until after examination and weighing of the goods, making any changes on the statistical copies forwarded to the New York statistical office, if that practice will not result in great delay in transmitting statistical copies of entries.

Sec. 26. Immediate transportation entries returned by port of final destination.—(a) Imported merchandise entered for immediate transportation without appraisement, and merchandise imported through frontier ports in cars secured by customs seals, will be excluded from the return of imports at the port of first arrival, but will be returned as imported at the port where entered for immediate consumption or for warehouse.

(b) The entries of such goods, made at the port of first arrival and the port of final destination, are required to show the country where the articles were invoiced and the nationality and motive power of the vessel in which they were brought to the United States, or to Canada, or Mexico, if the goods reach the United States through those countries.

Sec. 27. Imports of crude ores or metals.—(a) Imported crude ores or metals entered into bonded smelting warehouses will be reported statistically as imported at the port where entered into the bonded smelting or refining warehouse, in accordance with the instructions of T. D. 39828. Quantities and values of the different metal contents will be obtained from the consular invoice or estimated from previous similar importations in accordance with T. D. 39828.

(b) Consular invoices of gold, silver, copper, lead, tin, and other metals in ore and base bullion are required by Department of State circular of August 22, 1925, to show separately the quantities and values of each of the metals contained therein.

Sec. 28. Coding and forwarding of export declarations.—Export declarations will be numbered, coded, and forwarded to the Sections of Customs Statistics at New York in accordance with the instructions in paragraphs 3, 4, and 8 of T. D. 37531, sections 19 (as amended by T. D. 47088) and 20 of T. D. 38410, and other special instructions.

Sec. 29. Shipments in transit through the United States.—(a) Export declarations, customs Form 7525, are not required for foreign merchandise shipped in transit through the United States from one foreign country to another. In lieu thereof "Statistical Export Declaration for In-Transit Goods," customs Form 7513, will be used as provided in article 906 (a) and (b).

(b) Any export declarations filed by shippers for in-transit goods in addition to customs Form 7513, under a misunderstanding of the regulations, should not be forwarded to the Section of Customs Statistics at New York. Collectors should make a careful check of the outward foreign vessel manifest and railroad car manifest for the purpose of detecting such duplication of declarations.

EXPORT PROCEDURE

Sec. 30. Manifests of vessels.—Shippers' declarations.—Clearance.—(a) Before clearance shall be granted to any vessel bound to a foreign place or noncontiguous territory of the United States the master shall file a manifest on commerce form 1374 of all the cargo on board his vessel. There shall also be filed with the collector declarations of the owners, shippers, or consignors of the cargo shipped by them, specifying the kinds, quantities, values, and the places to which destined. These declarations will be made in duplicate on customs form 7525 in accordance with the instructions printed thereon, the original verified by oath before a customs officer, notary public, or other authorized person for shipments valued at over \$100. Collectors will number the declarations serially as received.

(b) Where the cargo is to be transhipped in another customs district, including Alaska, Hawaii, Puerto Rico, and the Virgin Islands of the United States, for transportation to a foreign country or noncontiguous territory of the United

States, the shippers' export declarations (customs form 7525) should be filed only with the collector of customs at the port where the merchandise is last laden for its final destination.

(c) The manifest of a vessel bound to a foreign country or to or from contiguous territory of the United States must show the customhouse number of the export declaration for each consignment, also the particulars required by section 4199, Revised Statutes, namely, the destination of the vessel, the marks and numbers of the packages, and a description of the articles, contents, quantities, and values, provided that a notation on the manifest that values are as stated on shippers' declaration, copies of which are attached to such manifest, will be accepted. Any short shipment must be noted on the duplicate export declarations presented with the manifest.

Sec. 31. Clearance on incomplete manifest under bond.—Clearance may be granted on incomplete cargo manifest and before all shippers' declarations have been filed, upon application to the collector on customs form 7301, and the execution of the bond printed thereon. The condition of the bond is that a complete outward manifest be filed not later than the fourth business day after clearance of the vessel, together with all export declarations theretofore received. Delinquent declarations must be filed with the collector as soon as received and at the latest within six days after clearance, unless a further extension of time is granted by the collector in exceptional cases. If required by the collector, pro forma declarations on customs form 7303 must be filed enumerating shipments for which declarations are missing.

Sec. 32. Cargo of vessel laden in different customs districts, now returned.—When a vessel is laden in different customs districts with commodities to be exported to foreign countries, shippers' export declarations must be filed in the respective districts where laden. The collector will report as exports only the merchandise laden in his district.

Sec. 33. Declarations for exports by railways, ferryboats, and vehicles.—(a) Any person who delivers merchandise to any transportation company for exportation from the United States to a foreign country by rail, ferryboat, or vehicle must deliver to the collector of customs at the port through which the merchandise passes into foreign territory export declarations in duplicate on customs form 7525, showing the kinds, quantities, and values of all merchandise delivered by him or his agent to such carrier for exportation.

(b) The collector shall not permit any car or other vehicle laden with merchandise intended for exportation to any foreign country to depart from the United States until a declaration specifying the kinds, quantities, and values of the merchandise has been delivered to him by the shipper or his agent. Exportation may be permitted under bond to produce missing declarations within 15 days.

Sec. 34. In transit shipments, customs form 7525 not to be used for.—The foregoing article applies only to merchandise exported by land carriage or ferryboat to or through adjacent foreign territory for a market. Export declarations on customs form 7525 are not to be filed for shipments from one part of the United States to another part thereof across foreign territory, nor for merchandise passing through the United States in transit from one foreign country to another, or from one portion of a foreign country to another portion thereof, across the territory of the United States.

Sec. 35. In transit shipments through Canada diverted.—When grain or other commodities shipped from northern border or lake ports by vessel or railroad in transit through Canada to other United States ports are diverted for import into Canada or for export from a Canadian port to foreign countries and collectors at the port of shipment are informed to that effect, they will obtain export declarations on customs form 7525 from the original shippers and forward them to the Section of Customs Statistics at New York, in order that such diverted shipments may be included in the statistics of exports from the United States.

Sec. 36. Shipments from interior to seaboard.—Declarations for merchandise shipped from an interior point in the United States partly in transit through Canada or Mexico for export from a seaboard port of the United States are

not required to be delivered to the collector of customs at the first border port, but the statistics of exports will be secured from shippers' declarations filed at the seaboard port of exportation.

Sec. 37. Reporting in transit shipments.—Foreign merchandise entered for shipment in transit through the United States, or for transshipment in ports of the United States, will not be reported as importations when received, nor will export declarations be required therefor when shipped out. Such merchandise will be reported to the Section of Customs Statistics at New York on customs form 7513, giving the aggregate quantity and value of each of the various classes of merchandise and the countries to which destined, as prescribed by the Bureau of Foreign and Domestic Commerce.

Sec. 38. Car manifests.—(a) Upon arrival of merchandise for exportation at a border port the carrier must deliver to the collector of customs a car manifest, giving marks and numbers, the name of the shipper or consignor, description of the goods, and the destination thereof. This manifest may be the waybill, or a copy thereof or a copy of the manifest prepared for the foreign customs. The required shipper's export declarations in duplicate must be attached to the car manifest or waybill when delivered to the collector.

(b) Under the provisions of the Act of March 3, 1893, no railway car containing commodities for export will be permitted to leave the United States until the car manifest and shipper's export declarations have been delivered to the collector of customs; but if any declarations are missing, immediate exportation may be permitted upon the filing of pro forma declarations therefor and the execution of a bond on customs form 7303.

Sec. 39. Exportation by ferry or vehicle.—The shipper or his agent must deliver shipper's export declarations in duplicate to the customs officer covering all goods exported by ferry, wagon, or other vehicle. The customs officer will retain the original declaration and deliver the certified duplicate to the shipper, master, or driver as a permit for the exportation of the goods. The driver of a vehicle will deliver the certified duplicate to the customs officer when the goods are taken out of the country. The master of a ferry will deliver to the customs officer at the close of each day all duplicates received during that day, accompanied by a statement that such duplicate declarations cover all goods exported on such ferry during that day. If a declaration can not be produced, exportation may be permitted upon the filing of a pro forma declaration and bond on customs form 7303.

Sec. 40. Penalty.—The agent or other employee of any railway or transportation company who shall transport any merchandise into a foreign country before the delivery of a declaration, as required by law, except under bond as provided for, shall be liable to a penalty of \$50 for each offense.

Sec. 41. Report of violations of law.—Collectors of customs shall report without delay to the nearest United States attorney all violations of the provisions of the statistical laws.

Sec. 42. Shipments from the interior for export.—(a) For goods shipped on a through export bill of lading from an interior point to a foreign country or to a noncontiguous territory of the United States, the shipper must prepare and deliver to the carrier the export declaration in duplicate to accompany the waybill to the seaport or border port of exportation.

(b) For shipments from the interior on domestic bills of lading consigned to the seaboard for exportation, the export declaration may be delivered to the carrier as prescribed above or mailed to the consignee at the port of exportation.

Sec. 43. Divided shipments.—If a shipment is divided at the port of exit by accident or intention, part being exported in one vessel or car and part in another, the agent of the carrier will note the amount shipped on the duplicate declaration attached to the vessel or car manifest. A declaration and duplicate covering subsequent shipments must be prepared by the carrier's agent from records of the previous shipment and be presented to the collector when the remainder is shipped. The number of the original declaration must be noted on each of the copies and duplicates.

Sec. 44. Exportations from Alaska, Hawaii, and Puerto Rico via the United States.—Shipper's export declarations in duplicate must accompany merchandise shipped from Alaska, Hawaii and Puerto Rico for transshipment and exportation from a port in the United States and be delivered by the shipping agent to the collector of customs at such port of exportation, with the name of the exporting vessel noted thereon.

Sec. 45. Trade between the United States and its noncontiguous territory.—The regulations in this chapter with respect to the collection of statistics of merchandise, gold, and silver exported from the United States to foreign countries by water and of clearances of vessels in such trade are extended to, and will govern, so far as applicable, in the collection of statistics of shipments between the United States and its contiguous territory and between the respective portions of said noncontiguous territory.

Sec. 46. Government supplies shipped abroad.—(a) No export declarations are required for shipments of furniture, stationery, and other office supplies to the United States Government offices or employees in foreign countries or noncontiguous territories for their exclusive use, or for shipments of military and naval supplies and equipment from quartermaster stores or supply depots for use of United States military or naval forces abroad, or for equipment shipped to United States lighthouses.

(b) Export declarations are required for construction material, machinery, supplies, or other merchandise shipped on commercial vessels to the Panama Canal, Panama Railroad, the Government of Puerto Rico or of the Philippine Islands, or the Manila Railroad Company, which are not regarded as branch offices of United States Government departments or bureaus.

Sec. 47. Personal effects.—No export declarations are required for personal effects or baggage of travelers carried on passenger trains to Canada or Mexico.

[SEAL]

R. C. PATTERSON, Jr.
Acting Secretary of Commerce.

MAY 31, 1938.

[F. R. Doc. 38-1537; Filed, May 31, 1938; 4: 59 p. m.]

FOREIGN-TRADE ZONES BOARD.

INSTRUCTIONS CONCERNING THE PUBLICATION, POSTING, AND FILING OF SCHEDULES CONTAINING ALL THE RULES, REGULATIONS, RATES AND CHARGES FOR ALL SERVICES AND PRIVILEGES WITHIN FOREIGN-TRADE ZONES

1. Section 14 of the Act of June 18, 1934 (48 Stat. 998-1003; 19 U. S. C., Sec. 81n) relating to Foreign-Trade Zones provides in part as follows:

Each zone shall be operated as a public utility, and all rates and charges for all services or privileges within the zone shall be fair and reasonable, and the grantee shall afford to all who may apply for the use of the zone and its facilities and appurtenances uniform treatment under like conditions, subject to such treaties or commercial conventions as are now in force or may hereafter be made from time to time by the United States with foreign governments * * *.

and

Paragraphs 1000 and 1003 (b) of Article X of the Regulations promulgated by the Foreign-Trade Zones Board effective June 29, 1935, contain the following relative to schedules:

"The grantee shall, before beginning operation of a zone, submit to the Board for approval its own rules, regulations, and practices for the operation of the zone."

"Schedules containing all the rates and charges shall be published, posted, and filed with, and subject to the approval of the Board. Full instructions concerning the publication, posting, and filing of such schedules will be issued by the Board. One copy of each tariff required to be filed with any State regulatory body shall also be filed with the Board."

2. In accordance with the provisions of the Act and of the Regulations cited above, the Foreign-Trade Zones Board on

February 7, 1938, adopted and issued the following instructions concerning the publication, posting, and filing of schedules containing all the rules, regulations, rates and charges for all services and privileges within foreign-trade zones. Additional instructions, and an elaboration or extension of those set forth herein, may be issued from time to time.

3. That there may be no misunderstanding the following definitions are to be followed in the preparation of the schedules:

Grantee:

The term "grantee" means a corporation to which the privilege of establishing, operating, and maintaining a foreign-trade zone has been granted, in accordance with the Act, Public 397, Seventy-third Congress, approved June 18, 1934.

Schedule:

The term "schedule" means a publication stating rates and charges of a foreign-trade zone, and all rules and regulations applying in connection therewith and to general operating procedure.

Publication:

Should be construed as the act of constructing, or compiling and publishing a schedule which will include all pertinent information in connection with the rates, charges, rules, and regulations applicable thereto within a foreign-trade zone, and also such other schedules as may be inaugurated from time to time.

Posting:

Should be construed as the act of posting all effective schedules within a foreign-trade zone, and the general offices of the grantee, in such a manner that they will be accessible to the public, and can be conveniently inspected. Requests may originate from the public for copies of effective schedules, and this also comes under the general heading of "posting" as such requests should be complied with to every reasonable degree.

Filing:

All schedules must be filed with the Foreign-Trade Zones Board and such other State or Federal regulating bodies as may subsequently exercise any jurisdiction in connection with the operation of foreign-trade zones. All original schedules so filed are, of course, considered as the effective schedules, unless otherwise cancelled or revised.

4. The obligation to compile and publish, post and file schedules naming rates, charges, rules and regulations, applying at foreign-trade zones is a direct responsibility of the grantee. The grantee should place such obligation and authority, through a Power of Attorney, with a member of its organization specifically designated to perform such work, thereby definitely fixing the responsibility for publishing, posting and filing schedules on behalf of the grantee.

The granting of such authority to a specifically designated person would ratify and confirm the lawful action of such an agent of the grantee with respect to the responsibility imposed by law in connection with publishing, filing and posting of schedules. In other words, the granting of such a Power of Attorney to a designated person would serve the following purposes insofar as the grantee is concerned:

(a) Would give the person so designated the authority to publish, post and file schedules, and all revisions thereto on behalf of the grantee.

(b) Avoid duplication of this responsibility and possible conflict with respect to the material contained in schedules, by placing with one person the authority to carry out the provisions of the Act with relation to publishing, posting and filing schedules.

(c) Would also place the responsibility for the unification and dissemination of information contained within schedules to the interested public, and the many other incidental details with regard to this important subject, upon the person granted the power of attorney.

The granting of such authority to a specifically designated person could be limited in the following respects:

(a) By defining the period of time such Power of Attorney is to run.

(b) By stating the exact nature of responsibility for which the Power of Attorney is issued, for instance "to publish, post and file schedules, and all incidental duties in relation thereto."

From the above it will be seen that one of the main objectives to be accomplished thereby would be to limit the responsibility on behalf of the grantee to one person, a specifically designated authority, to handle all matters in relation to the publication, posting and filing of schedules. Future developments of foreign-trade zones will undoubtedly reveal the numbers and kinds of schedules and revisions necessary to the conduct of such organizations.

5. In order that all original schedules and revisions embracing matters pertaining to foreign-trade zones, such as rates, charges, rules and regulations, and any additional schedules and revisions that may be subsequently issued, will be constructed as uniformly as possible, the following is prescribed:

(a) All schedules shall be compiled and published in loose leaf form, both the original schedule and subsequent revised pages conforming to a size of approximately 8 inches wide by 11 inches long.

(b) Schedules and revised pages shall be plainly printed, mimeographed or reproduced by other similar durable process on paper of good quality.

(c) The loose leaf pages of the schedule shall be printed upon one side only, and each page consecutively numbered, beginning with "original page No. 1." etc., etc.

(d) A margin of not less than one (1) inch shall surround the schedule page, especially at the binding edge.

(e) No alteration in writing or erasure shall be made in any part of the schedule.

(f) A hard cardboard front and back cover shall be used in binding schedules, and allowance made for conveniently fastening and unfastening the schedule to permit insertion of revised pages from time to time.

(g) The front cover and back cover of schedules may be in any color which may be determined upon, but the pages within the schedule shall be white, at least commencing with *original page number one* up to and including the last page, and all revisions thereof.

6. All schedules should be constructed as simply as possible, but accuracy and comprehensiveness should not be sacrificed. The Board, therefore, instructs that the following general outline of the schedule be followed as closely as possible:

(a) Title Page:

The title page shall generally bear such items as:

(1) The name of the grantee or operator.

(2) The schedule number.

(3) Descriptive statement of the contents named within schedule.

(4) Location of zone.

(5) The date the schedule is issued and effective date.

(6) The name of the person by whom the schedule is issued.

This information may be given on the cover of the schedule as well as on the page constituting *original page 1* of the schedule.

(b) Administrative Organization Page:

On this page, which will form *original page 2*, shall be listed the public officials and managing officers connected directly with the operation of the zone.

(c) Checking Sheet for Schedule:

This standard method of noting corrections and additions to the schedule shall be used and followed by the grantee. The checking sheet shall carry an explanation for its use to all who are in possession of the original schedule.

(d) *Table of Contents:*

The table of contents shall follow the general outline as given in this section and shall include all major references by pages.

(e) *Explanation of Abbreviations and Symbols:*

A complete list of abbreviations and symbols used in the schedule shall be explained.

(f) *Definitions:*

There shall be given definitions of all terms used in this schedule relating to rules, regulations, rates and charges, also of any terms relating to the physical construction of this schedule. Where the Foreign-Trade Zones Board has supplied definitions for terms to be used herein, those definitions shall be used.

(g) *Rules and Regulations:*

Special care should be taken in the compilation of rules and regulations that they may be complete and self-explanatory with respect to their general application. It is suggested that rules and regulations of general application be segregated from those of specific or special application. It is also suggested that rules and regulations be grouped in their application, that is, concerning carriers, concerning cargo, concerning persons, concerning rates and charges, etc.

(h) *Prohibited Merchandise:*

There shall be listed all merchandise which has been excluded from the privileges of the zone for any reason.

(i) *Rates and Charges:*

(1) Applying to Carriers: Herein shall be listed all charges applicable to carriers, their owners or agents, in the following manner: Vessels: towage, dockage, loading and discharging, running lines, fumigation, etc. Rail cars: switching charge, demurrage, etc. Motor trucks: property privilege, loading and unloading, etc.

(2) Applying to Cargo: All rates and charges collectible by the grantee against cargo shall be listed in separate tariffs for each service. Thus tariffs for wharfage, handling, demurrage, storage, extra services, manipulation, loading and unloading, high piling, rental of equipment, minimum charges, etc., shall each show the application of the tariff, space and labor rates, commodity and description necessary to apply the particular tariff, modifications of the tariff, and such other information necessary for the determination of rates and charges for a particular service.

7. Duplication should be avoided. A commodity once named within the schedule with all rates, charges, rules and regulations applying in connection therewith, will be considered as the effective tariff in force until subsequently revised in the form provided by means of revised pages.

The Foreign-Trade Zones Board shall be furnished with the original and seven copies of all schedules.

Changes or additions in the form of revised pages shall be submitted to the Foreign-Trade Zones Board within three days after such changes have been made.

All supplementary information concerning the quotation of rates and charges for commodities not within the schedule shall be furnished the Foreign-Trade Zones Board within ten days after such quotations are made. This is in addition to the construction of the schedule and should not be confused therewith.

All items carried in the schedule shall be numbered in consecutive sequence.

[SEAL]

J. M. JOHNSON,
Acting Secretary of Commerce,
Acting Chairman, Foreign-Trade Zones Board.

FEBRUARY 7, 1938.

[F. R. Doc. 38-1538; Filed, May 31, 1938; 5:00 p. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 252]

ALLOCATION OF FUNDS FOR LOANS

MAY 27, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
North Dakota 8013A1 Foster	\$102,000
Tennessee 8016C1 Madison	82,000

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-1539; Filed, June 1, 1938; 9:51 a. m.]

[Administrative Order No. 253]

ALLOCATION OF FUNDS FOR LOANS

MAY 27, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Ohio 9086A1 Guernsey	\$274,000

JOHN M. CARMODY, Administrator

[F. R. Doc. 38-1540; Filed, June 1, 1938; 9:51 a. m.]

[Administrative Order No. 254]

AMENDMENT OF ALLOCATIONS OF FUNDS FOR LOANS

MAY 27, 1938.

I hereby amend Administrative Order No. 229 by rescinding the \$4,000 allotted to Indiana 8001A2 Greene.

I hereby amend Administrative Order No. 160 by rescinding the \$10,000 allotted to Illinois 8004BW Peoria.

I hereby amend Administrative Order No. 227 by rescinding the \$4,000 allotted to Kansas 8008A2 Allen.

I hereby amend Administrative Order No. 186 by rescinding the \$1,500 allotted to Maryland 8004G2 St. Marys and the \$6,000 allotted to Maryland 8004A3 St. Marys.

I hereby amend Administrative Order No. 131 by reducing the allotment to Nevada 8004 Clark from \$178,000 to \$168,000.

I hereby amend Administrative Order No. 194 by rescinding the \$3,500 allotted to Ohio 8074A2 Butler.

JOHN M. CARMODY, Administrator.

[F. R. Doc. 38-1541; Filed, June 1, 1938; 9:51 a. m.]

[Administrative Order No. 255]

ALLOCATION OF FUNDS FOR LOANS

MAY 27, 1938.

By virtue of the authority vested in me by the provisions of Section 5 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project Designation:	Amount
Texas 8030W1 Upshur	\$10,000

JOHN M. CARMODY, Administrator

[F. R. Doc. 38-1542; Filed, June 1, 1938; 9:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 1st day of June, A. D. 1938.

[File No. 31-441]

IN THE MATTER OF GENESEE VALLEY GAS COMPANY, INC.

NOTICE OF AND ORDER FOR HEARING

An application pursuant to sections 2 (a) (8) and 3 (a) (1) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on June 20, 1938, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before June 16, 1938.

The matter concerned herewith is in regard to the application of Genesee Valley Gas Company, Inc. for an order declaring it not to be a subsidiary of any holding company, pursuant to Section 2 (a) (8) of the Act, and for an order, pursuant to Section 3 (a) (1) of such Act, exempting said applicant from the provisions of said Act applicable to it as a holding company, on the grounds that such applicant and every subsidiary thereof which is a public utility company, to wit: Pavilion Natural Gas Company, Churchville Oil & Natural Gas Company and Valley Gas Corporation, are intrastate in character and carry on their business in a single State, namely, New York, in which such applicant and every such subsidiary are organized.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-1548; Filed, June 1, 1938; 12:44 p. m.]

VETERANS' ADMINISTRATION.

[Supplement No. 2 to Instructions of September 7, 1937]

INSTRUCTIONS GOVERNING THE SELECTION OF VETERANS TO COMPOSE THE VETERANS' CONTINGENT OF THE CIVILIAN CONSERVATION CORPS

STATE AND CORPS AREA QUOTAS

JUNE 1, 1938.

Supplement No. 1 to Instructions of September 7, 1937, Governing the Selection of Veterans to Compose the Veterans' Contingent of the Civilian Conservation Corps, is hereby superseded by the following instructions:

Effective as of July 1, 1938 the first sentence of Paragraph 1 (A) (b) of Instructions Governing the Selection of Veterans to Compose the Veterans' Contingent of the Civilian Conservation Corps released September 7, 1937, is hereby amended to read as follows:

"Based upon the provisions of the Act quoted above the Director of the Corps has established the number of war veterans which may be enrolled at any one time in the Corps at 27,200."

Pursuant to this authority the following State and Corps Area quotas for the veterans' contingent of the Civilian Conservation Corps effective July 1, 1938, and to remain effective thereafter until subsequently modified, are hereby established, and all other such quotas previously announced are hereby cancelled.

Army corps area and selecting office	Territory from which selections are to be made	Basic quota
First:		
Nowington, Conn.	Connecticut	315
Tegus, Maine	Maine	155
Boston, Mass.	Massachusetts	832
Manchester, N. H.	New Hampshire	91
Providence, R. I.	Rhode Island	135
Burlington, Vt.	Vermont	72
		1,600
Second:		
Philadelphia, Pa.	Delaware	43
Lyons, N. J.	New Jersey	765
New York City	Eastern New York	1,767
Batavia, N. Y.	Western New York	620
		3,200
Third:		
Washington, D. C.	District of Columbia	165
Baltimore, Md.	Maryland	345
Philadelphia, Pa.	Eastern Pennsylvania	1,224
Pittsburgh, Pa.	Western Pennsylvania	816
Roanoke, Va.	Virginia	510
		3,060
Fourth:		
Tucalema, Ala.	Alabama	556
Boy Placa, Fla.	Florida	372
Atlanta, Ga.	Georgia	655
New Orleans, La.	Louisiana	475
Jackson, Miss.	Mississippi	454
Charlotte, N. C.	North Carolina	660
Columbia, S. C.	South Carolina	460
Nashville, Tenn.	Tennessee	583
		4,260
Fifth:		
Indianapolis, Ind.	Indiana	656
Lebanon, Ky.	Kentucky	677
Cleveland, Ohio	Northern Ohio	842
Dayton, Ohio	Southern Ohio	562
Huntington, W. Va.	West Virginia	363
		3,060
Sixth:		
Illaca, Ill.	Illinois	1,633
Detroit, Mich.	Michigan	1,071
Wood, Wis.	Wisconsin	646
		3,460
Seventh:		
Little Rock, Ark.	Arkansas	490
Des Moines, Iowa	Iowa	500
Wichita, Kans.	Kansas	450
Minneapolis, Minn.	Minnesota	730
Jefferson Barracks, Mo.	Eastern Missouri	525
Kansas City, Mo.	Western Missouri	425
Lincoln, Nebr.	Nebraska	325
Farjo, N. Dak.	North Dakota	220
Sioux Falls, S. Dak.	South Dakota	225
		4,000
Eighth:		
Tucson, Ariz.	Arizona	96
Denver, Colo.	Colorado	230
Albuquerque, N. Mex.	New Mexico	94
Muskogee, Okla.	Oklahoma	730
Dallas, Tex.	Northern Texas	832
San Antonio, Tex.	Southern Texas	638
Cheyenne, Wyo.	Wyoming	50
		2,500
Ninth:		
San Francisco, Calif.	Northern California	535
Los Angeles, Calif.	Southern California	627
Boise, Idaho	Idaho	90
St. Harrison, Mont.	Montana	110
Reno, Nev.	Nevada	20
Portland, Oreg.	Oregon	134
Salt Lake City, Utah	Utah	104
Seattle, Wash.	Washington	320
		2,600
Grand total		27,200

[SEAL]

FRANK T. HINES, *Administrator*.

[F. R. Doc. 38-1535; Filed, May 31, 1938; 3:22 p. m.]

